



FIG. 1. An aboriginal on his way to vote at the 1937 General Election

GOVERNMENT OF THE
CENTRAL PROVINCES AND BERAR



THE
ABORIGINAL PROBLEM
IN THE
CENTRAL PROVINCES & BERAR

BY

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Aboriginal Tribes Enquiry Officer, 1940—42

“ So little done . so much to do ”
(*Last words of Cecil Rhodes*)

NAGPUR
GOVERNMENT PRINTING, C P & BERAR
1944

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PART I
INTRODUCTORY

CHAPTER 1—PREFATORY

On May 1st, 1940, I was posted on special duty to investigate the conditions of the aboriginal tribes in the province, particularly in the Partially Excluded Areas. The Gazette Extraordinary announcing my terms of reference explained that for some time past the Provincial Government had had under consideration the measures necessary to improve the condition of the aboriginal tribes in the province and in the Partially Excluded Areas, but that examination of the conditions under which this large element of the provincial population exists had hitherto been piecemeal. The Government, therefore, considered that the whole question should form the subject of a systematic and co-ordinated enquiry conducted by a special officer. My terms of reference were —

- (a) The present condition of the aboriginals of the Central Provinces and Berar, with special reference to any economic, educational, physical, political or other disability from which they may be suffering,
- (b) the extent to which these disabilities can be remedied by Government policy and action,
- (c) the extent to which the aboriginal tenantry of the province need protection against expropriation, whether by means of an extension of the Land Alienation Act or otherwise, and with special reference to the provisions of the Central Provinces Tenancy Act,
- (d) the measures, if any, that are necessary to protect the aboriginal workers in mines and industrial establishments from the effects of contact with urban conditions,
- (e) the extent of bond-service amongst aboriginal farm-labourers,
- (f) the continued exaction of *rasad* and *begar* and of *mamul* of various kinds,
- (g) the effect of the forest policy of Government and the administration of the Government and privately owned forests upon the aboriginal tribes,
- (h) the effect of the full application to the aboriginals of the Indian Penal Code, the Codes of Criminal and Civil Procedure and, in general, of the various laws on the Indian and Provincial statute-books, and the possibility of transferring to their tribal institutions some degree of criminal and civil jurisdiction over simpler cases;
- (i) the extent to which the aboriginal tribes have been benefited by the administration of district councils and other local authorities and the arrangements in the field of local self-government, if any, that should be made for safeguarding their interests in the areas where they are the chief element of the population,
- (j) the steps to be taken to encourage the study of the language and culture of the aboriginals and to preserve the distinctive elements of their culture;

- (k) the present state of education among the aborigines, and the lines along which aboriginal educational policy should be directed in future
- (l) the representation of the aborigines in the services
- (m) the working of the Agriculture Veterinary Co-operative and Industries Department in aboriginal areas
- (n) medical relief and public health arrangements in aboriginal areas
- (o) excise and prohibition policy amongst aborigines
- (p) generally to consider how far past measures undertaken by Government to improve the conditions of aborigines are being regularly and satisfactorily carried out how far they have been adequate and how far they need to be supplemented by new measures and
- (q) to consider whether the present Government agencies are adequate to enable Government to have a definite aboriginal policy formulated and carried out or whether any additional Government agency is needed

2 Unfortunately service exigencies soon made it clear that it would not be possible to leave me free to spend my whole time upon this enquiry. During the hot weather and early rains of 1940 I was however able to do a short tour in the Chhindwara Jagirs and two long tours in the Mandla and Betul districts, the latter including a few days in the Melghat taluq of Amraoti District. My headquarters also at this time was at Chhindwara the capital of the district with the largest (373 078) aboriginal population in this province. In July 1940 however it was found necessary to give relief to the Commissioner in the Nagpur Division whose revenue appellate file had become congested through frequent changes of Commissioner. The two and a half months during which I held the post of Additional Commissioner were therefore primarily occupied with the hearing and decision of revenue appeals though it was possible when visiting the headquarters of the Betul Wardha and Chanda districts for appellate work at the same time to discuss local aboriginal problems with officials and others interested. In September 1940 I was appointed Joint Secretary to Government in the Police Jail Central Administration Political and Military and Ecclesiastical Departments in order to give relief to the Chief Secretary whose burden had been greatly increased by the war and political developments. It was then decided that although this work would not leave me free for much aboriginal work or touring nevertheless my special duty should not be formally wound up. I was able to do a ten days tour in the Bilhar taluq of Balaghat District at Divalli 1940 and to spend the Christmas holidays of 1940 and a few days just before and after these holidays on a long tour in the Chanda Zamindaris including a visit to the Southern Drug Zamindaris.

3 That however was an end of my special tours for the purpose of this enquiry except for two days in the Beri forests in May 1941. Early in 1941 I was appointed to succeed Mr R N Banerjee C.I.F. I.C.S. as Secretary to His Excellency the

Governor, and entered on the duties of that post at the beginning of April 1941 after three weeks' leave. Again it was decided that the aboriginal enquiry should not be formally discontinued. Five questionnaires had been issued and certain other enquiries into special aspects of the aboriginal question had been initiated. The replies to these had still to come in and to be checked and considered in such spare time as could be found in the midst of my duties in what is itself a whole-time post.

4 The unfortunate result is that it has not been possible to apply to this important enquiry the concentrated attention that was contemplated when it was initiated. Even of the replies received to the questionnaires that were issued it has not been possible to make as detailed a study as desirable. As I had to proceed on leave at the end of February 1942 before taking up an appointment as a Member of the Executive Council of His Exalted Highness the Nizam of Hyderabad and Berar, His Excellency the Governor released me in January 1942 from the duties of Governor's Secretary to give me nearly a month in which to complete as much as possible of a final report. In this period I completed Chapters I to IX of this Report. In the last week of my leave, in March 1942, I was able to complete Chapters X, XIII and XIV. But Chapters XI, XII, XV and XVI, the Bibliography and the Index have had to be written at disjointed intervals in such spare time as I could find from my work in Hyderabad State. In the circumstances if the Report is somewhat disjointed and deals with certain terms of reference more fully than with others, this has been inevitable. I have also had to draw as much upon the accumulated experience of my service in the Central Provinces as on results of this *ad hoc* enquiry, which would not have been so necessary had that enquiry not been so truncated.

5 I have also produced, since the enquiry began in May 1940, two printed reports on aboriginal conditions in Mandla and Balaghat Districts, *Notes on the Aboriginal Problem in the Mandla District* (Government Printing, Nagpur, price 4 annas), and *The Aboriginal Problem in the Balaghat District* (Government Printing, Nagpur, 1941, price 8 annas), and a separate report (not published) on the Chhindwara Jagirs. There has been a tendency also during the same period for the different departments of the Secretariat to consult me on various questions affecting aboriginals and the administration of Partially Excluded Areas, and I have dealt with the distribution of a grant of Rs 1,00,000 made by the Central Government for amelioration of aboriginal conditions in this province. This extra work has shown the advantage of a possible post of Protector of Backward Tribes and may have ensured some uniformity of decision, it has, however, had the disadvantage of further reducing the time which I have been able since September 1940 to devote to this inquiry.

6 I must gratefully acknowledge the trouble taken by the Deputy Commissioners, to secure answers to my detailed questionnaires and to send personal answers at a time when their work and responsibility had been greatly increased by the war, renewed *satyagraha*, and, in certain districts, scarcity conditions.

The public moreover seldom realises the extent to which district officers routine duties have increased in recent years. Any enquiry of this kind therefore means a real addition to the work of extremely busy officers and I am much indebted to Deputy Commissioners for the trouble which they have taken over answering my questionnaires and in certain cases arranging my tours in remote parts of their districts. My particular debt to Mr E S Hyde ICS Deputy Commissioner of Mandla is apparent from the many quotations from and references to his interesting and thorough answers to my questionnaires and many demi official references. No one took as effective an interest in the enquiry or so controlled and stimulated the work of his assistants and the district staff of all departments. I must also thank the many ladies and gentlemen who have helped both non-official and official. Where so many have helped so much, the mention of names is invidious but I am especially grateful for the ready help and advice of Mr Verrier Elwin and the admirable replies from a group of missionary priests of the Roman Catholic Prefecture Apostolic of Jubbulpore and of Fathers St Fuchs and Lercher of the Society of the Divine Word exiled Austrian Priests working in Nimar and Hoshangabad Districts. A useful feature of my enquiry has been the interest taken in it by the younger members of my own service. Admirable papers on conditions amongst the aboriginals in the Amraoti district were received from Messrs M J K Sullivan, ICS, F P Mainprice ICS and J K Atal ICS. Mr R C V P Noronha ICS sent in a most interesting account of the aboriginals in Saugor and collaborated with Mr K B Lalk, ICS to produce an equally good report on conditions in the Mahasamund Zamindaris of Raipur. A useful report on conditions in the Satgarh Zamindaris came from Mr A M Jafri Extra Assistant Commissioner, and in the Ahiri Zamindari from Mr J D Kerawala Extra Assistant Commissioner. I have also to thank Mr Kerawala for the difficult arrangements for my tour in the Chanda Zamindaris and for his companionship during the tour. These various reports all contain material which is of permanent value and might well be printed at least in part. Lastly special mention must be made of the help received from everyone in the Forest Department in particular from Mr C M Harlow CIE IFS Chief Conservator, Mr H C B Jollye IFS Conservator Western Circle and Mr V K Maitland MC IFS Conservator Eastern Circle. All Divisional Forest Officers in the province sent in extremely useful general replies upon forest questions in general and to most of my questionnaires. I have had much help from them in my tours. This has been done at a time when everyone in the Forest Department the staff of which had been grievously depleted by retrenchment and non recruitment was working over time at full pressure to cope with heavy demands for timber from the Defence and Supply Departments.

7 I have not dealt at length with clause (d) of my terms of reference which is concerned with conditions in mines for the reason that labour conditions in coal mines of the province have recently been the subject of a separate investigation by Mr A Hughes ICS from Bengal and Mr G I Watson ICS from this province and I understand from Mr Hughes that his report

will cover this term of reference of my enquiry I have also in paragraphs 72 to 80 of *The Aboriginal Problem in the Balaghat District* dealt somewhat generally with the question as far as manganese mines are concerned. Statistics were collected of the number of aboriginal employees in the collieries in Chanda District and in the Pench Valley they are only a minority of the workmen. Generally speaking, conditions are satisfactory only in the large mines with adequate capital. At Ballarshah they are frankly appalling, and I have seldom seen human beings living in such squalor as the miners of this area during the monsoon. I can only endorse in advance what I feel sure will be said about this by Mr A Hughes and Mr G L Watson. Most of the aboriginal workers here are Gond immigrants recruited in adjacent districts of the Nizam's Dominions, but the housing standards do not begin to compare with those in the collieries at Sirgareni and Kothagudam in Warāngal District and the planned miners' housing in the new gold mining settlement at Hatti in Raichur District. In the Pench Valley there are many aboriginal miners, but they generally come to the mines daily from their villages. I was not favourably impressed by the sanitary conditions in the smaller mines. I saw, however, no particular evidence that these aboriginals were being detribalized by the contacts which they make when working in the mines. On the contrary they can earn better wages and thus through the mines escape from the moneylender and the alien landlord. Nearly all the big coal and manganese mines do admirable public health work, providing hospitals and dispensaries for the miners and their families and the adjacent villages, and the Pench Valley Coal Company and the Central Provinces Manganese Ore Company are doing invaluable anti-malarial work. The recommendations 54 and 55 of my Balaghat Report that financial ability adequately to house mine labour should be required of all applicants for mining leases, and the extension to mines of the Payment of Wages Act should be considered, would be my only general recommendations on this term of reference apart from support of such recommendations as Messrs A Hughes and G L Watson may make in respect of housing and deductions from wages.

CHAPTER II—STATISTICAL

8 The 1941 census results have not been completed. The decision greatly to abbreviate the normal census statistics and to have no census report at least until after the war has been an unfortunate interruption of the long and valuable series of decennial tables on the basis of which so much Government work for aboriginals and others depends. The 1941 table of castes and tribes has not yet been completed, and therefore for statistics of the strength of individual aboriginal tribes we are still dependent upon the 1931 census tables. But we have some general 1941 figures available. The first table at the end of this Report, compiled from Imperial Table XIII of 1941, gives the total tribal population of each district in 1931 and 1941 with the tribal percentage of the total population. In this table, as in all statistics used in this Report except Table II, I have omitted all reference to the figures of tribal religion. They are meaningless. It is impossible to say where a man's religion ceases to be tribal or

begins to be Hindu. Fluctuations in the percentages of aborigines returned as animists or tribal by religion occur in different districts at different censuses and are no true index even of the degree to which the tribal religion is becoming hinduised. Much depends upon the approach to this question made by individual enumerators. If I were myself an enumerator I could guarantee to make almost all aborigines except the super hinduised Raj Gond landlord answer that they were tribal by religion. The following extract from Mr Verrier Elwin's recent pamphlet *Loss of Nerve* correctly summarises the true position —

"The religion of the Indian aboriginal outside Assam should be regarded as a religion of the Hindu family with a special relation to the exciting dangerous catastrophic Shivaite type but as having a distinct existence of its own. For purposes of the Census all aborigines should be classed as Hindus by religion but separate returns of their numbers by race should be provided. Much resentment has been caused by official missionary and even scientific attempts to separate the tribesmen from the Hindus on religious grounds and some of the hostility to the Census in nationalist circles is due to this. In earlier years the Census classified tribal religion as animist later the expression followers of tribal religion was used. The test proposed was to ask a person whether he worshipped Hindu or tribal gods.

This distinction was meaningless. On the one hand the aboriginal is always willing to worship a few more gods if by doing so he can gain some material or social benefit, on the other the Hindu has no objection to including tribal gods in a pantheon of thirty three crores of deities. Among the Gonds Bhera Pen is easily translated into Bara Deo and then to Maha Deo. It is hard to understand why the Census of India continues to record statistics of religion which every one knows are scientifically valueless and are used or misused only for political purposes. At every Census there is an outbreak of Hindu missionary activity to persuade the aborigines to return themselves as Hindus. This is perfectly legitimate activity and in fairness it must be said that Mohammedans and Christians are equally anxious to inflate their numbers. Any effort to prevent this does more harm than good. In 1911 a Deputy Commissioner of Betul threatened a prominent Congressman with prosecution if he continued to persuade the Gonds to return themselves as Hindus. The result was that every Hindu in the District felt it his sacred duty to see that the Gonds did so. In Bihar the Census Commissioner proposed the very sensible test of whether a man observed Hindu or tribal festivals. The Uraon who kept the Sarhul would be returned as following tribal religions. The Uraon who observed Diwali and Holi would be a Hindu. But for some reason this caused an uproar among the Hindus of the Province and as a result of deputations and a newspaper campaign the test was altered.

"The real problem however is not whether Gonds or Murias are Hindus or not or whether they call themselves Hindus or not but how far contact with Hinduism has affected tribal religion. Here is a very curious question. Why

is it that the Gonds, Pardhans and Baigas of Mandla, who live along the main Hindu pilgrim route to sacred Amarkantak, have hardly any religion at all, either Hindu or tribal, while the Murias who live in Bastar far from Hindu influence have a highly developed, authoritative, and richly furnished system of worship that is actually, while wholly tribal, far more akin to real Hinduism? The Mandla aboriginal is completely hinduised, yet he knows nothing of the religion; the Bastar aboriginal is quite un-hinduised, yet his care of the gods, his beautiful little shrines, his sacrifices and festivals, his priests and pilgrimages have much in common with Hinduism "

9 The second table gives the 1941 figures of the Partially Excluded Areas and adds two columns showing the number of persons returned as literate in those areas. The figures of literacy are not quite accurate, the census table from which they have been taken gives all the literate of the Sanjari-Balod, Garchiroli and Bilaspur tahsils to those parts of the tahsils which are not Partially Excluded, while in Sironcha Tahsil it attributes all the literate to the Partially Excluded Area, the Ahiri Zamindari. These are obvious mistakes and the absurdity of the confusion is further shown by the fact that the table gives all the persons in Sironcha Tahsil literate in English to the *khalsa* area, which is not Partially Excluded and according to the same table has no person literate in an Indian language.

10 Table III gives the total strength of the aboriginal tribes for which statistics were recorded in 1931. The total is not exhaustive because certain tribes were omitted. The Agaria are an aboriginal blacksmith tribe, which has not been separately classified in any recent census because they are invariably confused with the non-aboriginal cultivating Agharia caste. Their strength in 1911 according to the 1911 Census Report (paragraphs 283 and 306) was 9,500 in the province, including the former Central Provinces States. The Arakh tribe, which is mentioned in the body of the report, and is found mostly in the Marathi-speaking districts, numbered about 2,000 in 1911. The important Nihal or Nahal tribe which lives in the Korku country and for the most part speaks the Korku language was not separately classified in 1931. The 1911 census gives their number as 12,403. The other tribes, with the 1911 figures in brackets, when available, are Bhimma, a small tribe of musicians in the Gond country; Naikar (2,192), an off-shoot of the Bhil found in the Maratha districts, Mannewar (1,601), described in paragraph 284 of the 1911 Census Report as the lowest class of the Koya Gond, from whom they have split off found only in South Chanda, Kalanga (1,754), found in Phulhar Zamindari and probably a branch of the Kalanga tribe of Madras mixed with Kavar; Dholi or Dhulia (4,914), sometimes described as sub-caste of Basor, on the sole basis of a common occupation, basket-making, Dhoba an aboriginal cultivating class in Mandla district 2,000 or 3,000 strong and quite different from the Dhobi, washerman caste, confusion with which is the reason why it has not been separately classified at any recent census, Khond, of whom some 310 are mentioned in the 1930-31 Settlement Report of the Phulhar, Bilagarh-Katgi and Bhatgaon Zamindaris as included in the

tenantry of the three estates. There are of course other semi-aboriginal or aboriginal castes. The Gowari grazier caste includes the Gaiki or Gaika the word *gaiki* actually in the Gond language means cowherd. Many of the Gowari and of the Gaiki are aboriginal and there is a separate article in *Tribes and Castes of the Central Provinces* on Gond Gowari. In the real wild aboriginal tracts it is difficult to distinguish between the Gond Baiga or Korku and the local grazier caste whether the grazier is described in census returns as Ahir Rawat Gowari or Gaika. The usual Gond cowherd belongs to the sub-tribe Thathia which according to paragraph 382 of the 1921 census report was then included in the Gond statistics. In *Tribes and Castes of the Central Provinces* volume I page 414 Thathia are defined as a sub-tribe of Gond also called Gaiki or Mahato in Betul. They are distinct from Thothia a sub-division of Pardhan who live by begging.

11 In the really backward aboriginal tracts the aboriginal way of life is largely shared by all the villagers whether aboriginal or members of backward Hindu castes or the Scheduled Castes. Many officials and others answering the questionnaires in this enquiry have protested against special treatment for aboriginals as unfair, there being no reason in their view why they should be specially selected from amongst their fellow Indians for remedial measures. The special reason is that though they constitute 3 000 000 of the population of the province they have been neglected in the past and are educationally and politically unfitted to hold their own and protect their interests in the provincial legislature and local bodies or against the exploiter. Not a tenth of the special steps that have been taken for the Scheduled Castes or Harijans has been taken for the aboriginals. Moreover in the Partially Excluded Areas at least probably also in the other backward areas it will be impossible to exclude members of the backward and menial castes from the benefits of measures designed for the aboriginal. In Berar for example the notification under section 66 of the Land Revenue Code placing restrictions on transfer of land in the occupation of aboriginal tribes and backward castes notified not only such true aboriginals as Gond Korku and Nihal but also such menial castes as Ming Chamar and Mahar such grazier castes as Gaoli and Gowari and such backward Hindu castes as Banjara and Wanjar.*

12 Table IV deals with aboriginal languages. The figures have to be the 1931 figures because language statistics have not been sorted in the 1941 census another unfortunate omission, because so much of educational policy in tribal areas should depend upon the extent to which the tribal languages survive. The figures show also the extent to which the speakers of tribal languages can speak Hindustani or Marathi. I have omitted the figures of the Gond speakers who also know Telugu and Korku and of the Korku-speakers who also know Gond. Actually however of the 36 005 Gonds in Sironcha Taluk 9 101 only knew

*Banjara Wanjar and Iathara are really identical but there is a tendency for those who call themselves Wanjar to assert that they are different from the Banjara because they are educationally and socially less backward.

Telugu also. It is commonly assumed that every Maria in Sironcha Tahsil has a smattering of Telugu. This is quite untrue, especially around Bhamragarh, where the Medical Department has been apt to make a point of posting a Telugu-speaking Assistant Medical Officer, who soon finds his Telugu useless. Apart from some 400 Gond in the other parts of Chanda District and 252 in the Kelapur taluq of Yeotmal District, no other Gond in the province speak Telugu as well as their mother-tongue. Practically no Gond also knew Korku, even in the areas where the tribes live side by side. In 1931 there were only 260 Gond in the whole province who could speak Korku, and only 23 Korku who could speak Gondi. In Betul District it will be seen that the number of Gondi-speakers is some 3,000 greater than the number of Gond, probably because of the classification of Gondi-speaking herdsmen as Gowari. The number of Gondi-speakers is great, 946,702 out of 2,058,182 Gond; but the very numerous Gond population of Raipur, Bilaspur and Drug Districts, the Dindori tahsil of Mandla and half of the Baihar tahsil of Balaghat have long lost their tribal language. Elsewhere, however, comparative figures show that so far from Gondi dying out there is a steady increase in the number who speak it. Korku-speakers numbered 152,838 in 1931 against 167,897 Korku. It is not clear whether the Korku population figure included also Nihal, but again it is clear that the bulk of the tribe retains its tribal language.

13 Besides the languages in the table the following other tribal languages were spoken in 1931 in the province by the number of speakers bracketed against them.—

Phili (25,308 in Nimar and 4,581 in Berar),

Kolami (25,647 in Yeotmal and 2,520 in Wardha);

Halbi (3,340);

Oraon (2,456, of whom 2,143 were in Bilaspur and the rest in Raipur);

Kherwari (1,525; 1,170 in Raipur, the rest in Bilaspur); and

Kharia (703 Raipur and 491 Bilaspur).

14 I have not attempted to comment on statistics of individual districts, but the notes on loss of land in Chapter III in each of the 19 districts of the province are generally preceded by a short account of the composition of the aboriginal population of the district.

PART II

LOSS OF ABORIGINAL LAND AND DEBT

" Primum Vivere "

'I heard the crane cry unto men his greeting
To tell them it was time to drive the plough ,
Ah friend I he set my sorry heart a-beating
For others have my fertile acres now "

Theognis, ll 1197-1200

(Translated by Sir William Morris)

"He is sowing seed in a hard land,
Where the plough breaks and he has to make it new
He drives the plough and scatters seed,
But there is no harvest of his toil "

(A Pardhan Karma Song from Mandla, no 242,
Songs of the Forest, Elwin and Hiwale)

CHAPTER III—LOSS OF TENANCY AND RYOTWARI LAND IN THE CENTRAL PROVINCES

15 **Introductory.**—The third term of reference of my enquiry was "the extent to which the aboriginal tenantry of the province need protection against expropriation, whether by means of an extension of the Land Alienation Act or otherwise, and with special reference to the provisions of the Central Provinces Tenancy Act" In some way this branch of the enquiry is a key to the whole position of the aboriginal of the province As he is steadily losing the land that he holds in proprietary and tenancy right while at the same time his numbers are increasing, he descends through the stage of a sub-tenant or a so-called partnership-cultivator or *bataidari* to that of a farm-servant, often tilling what were formerly his own acres for an absentee Hindu or Muslim *malguzar*, tenant or moneylender, until in the end even this stand-by disappears and he becomes a casual labourer and sinks to the status of the menial castes This chapter of my report therefore first examines the position of the aboriginal tenants and ryots in the Central Provinces The next chapter deals with the existing Land Alienation Act and its effect in saving the aboriginal proprietor and through him the tenant, and is followed by a chapter on loss of aboriginal land in Berar

16 In 1935 when opinions were called for on the means of securing the moral and material elevation of the aboriginal tribes of the province, I put forward the suggestion that the Central Provinces Land Alienation Act should be extended to aboriginal tenants in certain areas so as to prevent them transferring or losing their holdings to non-aboriginals This matter was subsequently in 1936 referred to Commissioners and Deputy Commissioners for more detailed opinion The majority opinion was that the protection afforded by the Land Alienation Act to aboriginal village and plot proprietors should be extended to aboriginal tenants also The matter was discussed at the Commissioners' Conference on June 3rd, 1937, the conference was of opinion that such protection would be useful, but only in certain tracts on the fringe of aboriginal country between the plains and the plateaux It was pointed out that with the existing revenue and tenancy system it would be difficult to secure absolute protection, especially in tracts where surrender of holdings by aboriginals is frequent The conference, however, recommended that permissive legislation should be undertaken to provide amongst other things than so far as possible holdings from which aboriginals had been ejected or which had been abandoned by them should only be re-allotted to aboriginals, and that aboriginal absolute occupancy tenants should be placed on the same footing in respect of alienation as aboriginal plot-proprietors (*malik-maqbuza*)

17 These recommendations and the whole question were subsequently considered by the Provincial Government, and a Bill to amend the Land Alienation Act was drafted A summary of this is given in paragraph 121 below It was suggested, however, that the Bill could only operate to prevent the expropriation of the aboriginals in the narrow fringe of the country between the main plains and the hilly country, in which are found both

settled aboriginals and Hindu cultivators pushed out by the pressure on the soil from the plains. It was pointed out that it was difficult to apply the Bill as drafted to districts mainly inhabited by aboriginals such as Mandla. In such cases aboriginal cultivation is shifting and often a system of cultivation by rotation prevails about 40 per cent of the holdings being cultivated at a time. This is left fallow after 3 or 4 years and the tenant then cultivates another part of his holding. In this rotation however he does not stick closely to his boundaries and considerable variations in his holding consequently occur. It was suggested that it would invite difficulties to apply to cultivation of this kind a law laying down a principle that a holding once aboriginal should always be aboriginal that even in predominantly aboriginal tracts aboriginals seldom exceeded two-thirds of the tenantry and that when holdings were not fixed it was impracticable to insist on a rigid division of land into aboriginal and non aboriginal. A further difficulty was pointed out that aboriginals move from one village to an adjacent one on very little provocation so that the landlord might be handicapped in re-allotting the holding when no suitable aboriginal wanted it.

18 The Bill was however shelved in view of the impending introduction of the Tenancy (Amendment) Bill, which became law on 5th June 1940 except in the Partially Excluded Areas. It was suggested that the number of aboriginal absolute occupancy tenants was so small that it was not worth protecting them and that the scheme of the Land Alienation Act was so different from that of the Tenancy Act as it stood before the recent Amendment Act, that it would be better to give whatever protection was decided upon for aboriginal tenants by amendments of the Tenancy Act rather than of the Land Alienation Act.

19 Both before and after the drafting of the Bill thus shelved a number of applications and resolutions had been received from aboriginals pressing for some protection on the ground that they were losing their holdings. Not only has no such protection been given but with the passing into law of the Tenancy (Amendment) Bill and the revolutionary changes affected by it in the law of occupancy tenure whereby an occupancy tenant is permitted to transfer by sale any right in his holding to any other person, the danger of the aboriginal losing his land has been intensified. The problem was recognised during the discussions on the Tenancy (Amendment) Bill and the Honble Mr Gokhale in his speech before the Provincial Legislative Assembly on August 14th 1939 (page 692 of the Assembly Proceedings Volume VI of 1939) pointed out that while the right of transfer might not safely be conferred at the present stage in the aboriginal and backward tracts that was a matter for the Select Committee to decide. But unfortunately the matter was not attended to by the Select Committee and was perhaps overlooked when the final discussions of the Bill in the light of the Select Committee's Report were expedited in view of the impending resignation of the Ministry.

20 It is therefore essential to decide without further delay what should be done to protect the remaining aboriginal tenants, especially in view of the fact that except in the Partially Excluded

Deputy Commissioners in a form prepared by me to compare the number of aboriginal tenants and ryots and the total acreage held by them in their districts at each of the successive land revenue settlements and according to the annual village papers of the revenue year 1939-40. In many districts it was found that the records of the first settlement were defective or were written in Modī or Urdu which the modern patwaris who did the bulk of the work could not interpret. Moreover in most of the province there was such an immense increase in the area held not only by all tenants but also by aboriginal tenants in the great period of agricultural expansion between the round of settlements which took place after the formation of the province in the sixties of the last century and the first round of revision settlements which took place in the nineties that although some districts returned the figures of the first settlement no use has been made of them as no useful inference could be drawn from them moreover they were very incomplete for several areas. In compiling all the statistics many district officers omitted those villages where there never had been any aboriginal tenants and in certain districts I confined the enquiries to selected areas in order to reduce the work. The general results of the enquiry are shown for malguzari villages in Table V at the end of this report, and for ryotwari villages in Table VI. In Tables VII and VIII the results of my enquiry in zamindari and malguzari villages are partially analysed by dividing the province into areas where aboriginals have lost land and areas where they have gained land. Table VII shows the loss area and Table VIII the gain area. Before proceeding to general conclusions, the following pages discuss in turn conditions in each district of the province. The discussion is fuller in the districts of Saugor, Jubbulpore, Mandla, Betul, Chhindwara, Chandī, Balaghat and Drug than in others because in these districts the general enquiry was supplemented by specific enquiries made under my direction in the light of the district returns or by my personal observations on tour.

Saugor District

23 Parts of this district are typical of the way in which aboriginals are gradually losing their land and becoming landless labourers or so-called partners in cultivation on *batai* with the new owners of their former lands. The combined Saugor and Damoh district in 1941 had a tribal population of 83,607, a fall of 4,000 since 1931. There is always a good deal of migration between the district and Pundelkhand and it has been noted by Mr. Noronha, I.C.S., that several Gond were in recent years encouraged to migrate into Bhopal State by a colonization scheme in which they were offered on easy terms land newly broken up from waste. In the entire district 89 men in every 1,000 of the population are aboriginal, either Gond or Sawara by tribe. Very few Sawara own any land and so it may be taken that nearly all the 85,500 acres of land shown in Table I as held by aboriginal tenants in 1930-40 belongs to Gond tenants. In the entire district this area has fallen by 11,403 acres since the penultimate settlement i.e. in about 50 years. But in two tracts, Rehi and Khurai, the aboriginal tenants' holdings have risen from 3,951 to 6,707 acres. Omitting these tracts from consideration in the

rest of the district the fall in the aboriginal area during 50 years has been from 96,100 to 78,700 acres. The Gond thus have lost 18 in every 100 acres. In the same period the total number of aboriginal tenants has risen from 10,446 to 11,996.

24 The process has been most marked in Rehli Tahsil. In 1931, 22,500 of the 58,500 Gond of the district lived in this tahsil and the aboriginals constituted 16·2 per cent of the population. Almost all these Gond now speak only the local Bundeli dialect of Hindi. Except for the few remaining malguzars, they tend to concentrate in villages in definable tracts. In the tahsil 3,394 aboriginals held 35,248 acres of tenancy land at the penultimate settlement. In 1939-40 the number of tenants had risen to 3,607 but the total area of their holdings had fallen to 29,778 acres. In every thousand acres they have thus lost 161, while the average holding per tenant has fallen from 13·9 to 8·25 acres. Some detailed enquiry was made by Mr Noronha in the Kesli area of the tahsil in 22 villages, in each of which Gond constitute 80 or 90 per cent of the population. Despite this overwhelming preponderance, of the 847 holdings in the villages aboriginals hold only 439, and 408 have passed to non-aboriginals. Nearly all these non-aboriginal tenants live in other villages and have their fields in the Gond villages cultivated by Gond, often the previous owners of the fields.

25 Mr Noronha examined the causes and considers that broadly speaking, the root cause is the Bania, despite the fact that in theory under the Tenancy Act (until the recent amendments) occupancy land could not be sold for debt. Mr Noronha puts the process in this way. A Gond borrows Rs 100 from a Bania at 24 per cent annual interest. Besides paying this interest he has to meet the rent of his holding and maintain himself and his family. One of two things happens. If he pays his interest, he falls into arrears of rent and is ultimately ejected. If he does not pay the interest, in due course the Bania attaches his cattle and movable property. Having no cattle, he cannot plough, the land is uncultivated, he cannot pay the rent, he is ejected. Mr Noronha found instances of this in every village he inspected, even in the rare cases where the Bania concerned was an honest man. When the holding contains good soil, the Bania keeps it for himself and cultivates it through Gond labour. As many as 52 villages in this tract, mainly inhabited by aboriginals, belong to the great Daga banking family of Nagpur and are managed by their agents. These agents are friendly with the local Banias. When the Bania puts the screw on his illiterate debtor and desires to get hold of his land, the agents readily arrange the landlord's consent to the transfer, and, as Mr Noronha puts it, "a *nazarana* is paid, of which perhaps 25 per cent goes to the Dagas, the Bania gets the land and every one is happy—except the Gond." Mr Noronha found that the Gond lost his absolute-occupancy holdings even more easily than his occupancy, by sales for arrears, by foreclosures of mortgages, or through sheer bankruptcy, due usually to improvidence or extravagance.

26 Mr Noronha speaks also of fraudulent sub-tenancies as a means by which the Bania gets his debtor's land. The Bania gets himself recorded in the patwari's papers as the sub-tenant

of his debtor but does not pay any sub rent. This goes on for 15 or 20 years at a stretch at the end of which he frequently gets recorded as tenant almost by adverse possession. An example is the case of Ghansham Gond of Dongaria who long ago borrowed money from a Bania. As far back as 1915-16 the Bania was entered in the patwari's papers (and the last settlement record) as in possession of Ghansham's holding as sub-tenant. The debt gradually rose to Rs 1,700 but in 1939 when Ghansham applied to the Debt Conciliation Board Sheoprasad claimed only Rs 216 as due to him but did not mention that he was in possession of Ghansham's field. His object was to get the balance of Rs 1,484 written off against the possession of the holding. He succeeded. Ghansham died recently and his son is paying off the Rs 100 for which the Rs 216 balance was conciliated in annual instalments of Rs 10. In return the Bania has let him keep a miserable valueless patch of *bhatua* soil. To show the extent to which deceit can go Mr Noronha observes that when he was looking into the case Ghansham's son Parmanand produced as his most important title-deed a page torn out of the Army and Navy Stores catalogue for 1918 which he said his father had told him to keep because of its importance. Father and son were of course completely illiterate.

27 Another way in which the Bania scores and dodges the provisions of the Tenancy Act is by having the Gond debtor's land sub let to a sub tenant who pays the sub-rent to the Bania and not to the Gond.

28 Next comes the question of surrender. As observed during a similar enquiry in Chhindwara District (see paragraph 69 below) nearly all the surrenders are unregistered and therefore invalid under section 89 of the Tenancy Act. Aborigines surrender their lands generally for one of three reasons —

- (a) the tenant is too poor to pay the rent
- (b) the landlord or his agent wants to lease the land to some non aboriginal tenant and thereby secure payment of a *nazarana* i.e. the capitalised value of the difference between the settlement rent and whatever rent he can screw out of the new tenant (in cases of this kind the landlord usually threatens the tenant that he will have him evicted for rental arrears whether he is in arrears or not and that in the process he will also lose his movable property according to Mr Noronha there is great laxity over the giving and keeping of rent receipts) or
- (c) the malguzar wants to get more punctual and profitable tenants

The surrender is not registered because either the tenant is too poor to pay the registration fee or there is something under hand in the transaction the tenant being forced to surrender by threats or undue influence. At one time the land records staff used to accept such unregistered surrenders and the new *patta* or lease and record the change of occupation in the annual papers. Now they no longer do this but the anomalous position

results that though the land is recorded in the name of the Gond tenant, that is his sole connection with it and another person cultivates it and pays the rent

29 Mr Noronha points out also that one cause of the loss of land by aboriginals is that they are frequently left only with the poorest fields containing the soil known locally as *bhatua*. *Bhatua* can be cultivated only for three years continuously, after which it must have a resting fallow for a period varying from three to six years according to its situation, etc. The average occupancy holding, as we have seen, is about 8 acres. But even if a tenant has 12 acres, half of it ought always to remain fallow, yet rent has to be paid on it as usual. "The more substantial tenants can afford to pay rent because with greater output their unit costs (of which overheads are very important, and in these circumstances rent may be considered an overhead) are low, also their gross profits are higher. But there are very few substantial Gond tenants. Most of them fall into arrears because they cannot afford to pay the rent on their fallow land as well as their other charges. The very continuity of occupancy may thus be a drawback. Their only asset is *bhatua* land, which is not worth taking except as a last resort, no Bania will take an acre of *bhatua* if instead he can get a bullock. The tenant is secure in the possession of the land because it is worthless to any one else. He must bear the burden of unproductive cultivation and heavy costs. On the other hand the catch-tenant, who is allowed to break up patches of grass-land and is a tenant-at-will, is better off, since he has only to pay rent whilst he actually cultivates, and he cultivates as long as he pays, because no one wants his bit of barren *bhatua*—there is his security of tenure. Many aboriginals are finding this out and acting with unexpected intelligence. Thus two years ago 31 tenants of Tumri surrendered their *bhatua* holdings which were then recorded as *chhote ghas* or minor grass land, but they continue to cultivate their former holdings on a year-to-year basis."

Jubbulpore District

30 The aboriginal population of the district in 1941 was 199,839, the percentage had fallen from 24 per cent in 1931 to 21.9. In 1931 the aboriginals constituted 27.4 per cent of the population in Murwara Tahsil, 23.8 in Sihora, 22.6 in Patan and 21.8 in Jubbulpore.

31 According to Table I, between the penultimate settlement and 1939-40 in the whole district the number of aboriginal tenants rose from 19,023 to 20,105 and the area held by them from 216,600 acres to 217,400. In other words there has been much more equilibrium in this than in other districts both in the number of tenants and in the area held by them. The average aboriginal holding remains a little less than 11 acres. One reason is that there has not been in Jubbulpore District the great increase of the aboriginal population in the past 50 years that is characteristic of the province as a whole, in 1931 the aboriginal population of the district was in fact almost the same as in 1891. The chief elements in the aboriginal population of Jubbulpore in 1931

were Gond including Pardhan (95 997) Kol (57 827) Bharia Bhumia (29,006) and Baiga (2 665) In 1891 Gond and Pardhan numbered 95 300 (approximately the same as in 1931) Kol 61 705 Bharia Bhumia 26 541 and Baiga 2 329

32 Nevertheless the apparent lack of change in the district disappears on a closer examination of the figures of loss of land In Sihora Murwara and Patan Tahsils and the Panagar and Khamaria Revenue Inspector's circles of Jubbulpore Tahsil there has been a fall in the area held by aboriginals in the past 50 years from 136 500 acres to 118 700 or of 138 acres in every thousand while the number of aboriginal tenants has risen from 14 775 to 15 383 In the rest of the district that is to say, in the Bargi and Kundam circles of Jubbulpore Tahsil the number of aboriginal tenants has risen from 4 248 to 4 722 and the area held by them from 79 000 acres to 98 700 acres These two circles comprise the typical aboriginal country on the Mandla border of Jubbulpore District where cultivation has been steadily expanding and conditions are not unlike those of Mandla District the soils are poor and need long resting fallows but the population is not large and the average holding being still 21 acres the aboriginals can give their lands some rest Things however are different elsewhere particularly in parts of Sihora and Murwara Tahsils In the Majholi and Sleemanabad circles of Sihora and the Barhi circle of Murwara, for example aboriginals have in this period lost respectively 43 32 and 38 per cent of their lands In the two former circles however the number of tenants has fallen considerably though in the Barhi Circle there has been the usual rise In Murwara Tahsil excluding the Rithi and Bijragogarh circles where aboriginal holdings have increased in area in the other three circles aboriginals have lost 21 per cent of their land In Sihora Tahsil the average loss in all circles is 20.5 per cent but as we have seen in two circles the loss is as high as 42 and 23 per cent Here the average aboriginal holding is now only 5.3 acres In Patan Tahsil it is 9 acres, in Murwara 8.2 and in the Panagar circle of Jubbulpore only 3.4 acres in the latter circle where aboriginals are exposed to the full blast of modern progress the number of aboriginal tenants has now fallen from 599 to 492 and they have lost 29.4 per cent of their holdings

33 The soils of Murwara Tahsil and the aboriginal tracts of Sihora are notoriously poor and the aboriginal holdings being so small that fallows are out of the question it is not surprising that there is a good deal of trouble in these areas whenever rain fall is deficient Inquiries were made into the reasons for the heavy fall in the aboriginal tenancy area in some villages of the Barhi circle The reasons given are the pooriness of the soil the proximity to Government forests and constant damage to crops from deer and the general exodus from all these villages in recent years of Kol and Gond to the factories of Jubbulpore, Katni and Kymore and the lime-stone quarries of Katni and Kymore for more lucrative work as labourers A few years back I found one village in Murwara Tahsil from which there was a regular migration of men to work in the coal mines of Chhindwara and the manganese mines of Nagpur District The fall in agricultural tenancy holdings therefore is not nearly as much



FIG. 2

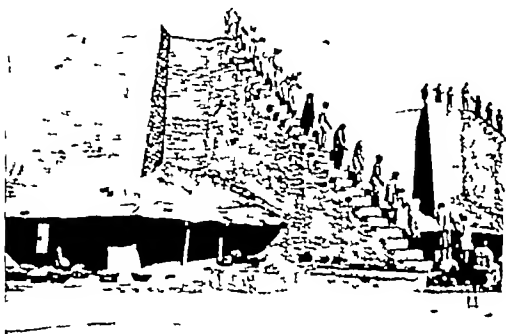


FIG. 3

FIGS. 2 & 3 Aboriginal workers in limestone quarry and at lime kiln near Kymore Jubbulpore District

due to deliberate expropriation by Hindu or Muslim malguzars and moneylenders in the north of Jubbulpore District as it is elsewhere. Economic causes make mine or factory labour more profitable than agriculture. Nevertheless there is even here a good deal of loss of land from debt, and many cases can be found in which good land has for this reason passed from aboriginal to non-aboriginal tenants.

Mandla District

34 The whole of this area is Partially Excluded under section 91, Government of India Act, 1935. The tribal population in 1941 was 321,918 and 605 persons out of every thousand (against 595 in 1931) were aboriginals. Comparative figures of the chief aboriginal tribes for 1911 and 1941 are —

Tribes	1911	1931
Gond	191,466	219,136
Pardhan	11,538	12,393
Baiga	18,684	19,938
Kol	10,104	10,924

Mention should also be made of the Dhoba aboriginal tribe which numbers probably two or three thousand and includes some malguzars. At censuses it is generally confused with Dhobi. The figures in Table I show that in malguzari villages since Mr Bell's land revenue settlement of 1904-10 the number of aboriginal tenants and the area held by them has risen from 23,424 holding 479,100 acres to 29,840 holding 568,000 acres. The average holding has thus fallen in thirty years from 24.5 to 19 acres. In the same period the total number of ryots in ryotwari villages of all communities has risen from 12,992 holding 228,709 acres to 18,586 ryots holding 296,100 acres, and of aboriginal ryots from 9,669 holding 182,904 acres to 13,770 holding 242,513 acres. There has been a slight decline in ryotwari areas since Mr Lillie's settlement of 1928-30, but this has been due primarily to a series of lean years, in many of which land revenue suspension has been ordered, and to heavy loss of cattle from epizootic diseases. The average holding of ryots of all villages has fallen in 30 years from 17.6 to 16 acres and that of aboriginal ryots from 19 to 17.6 acres. Bearing in mind the fact that much of the soil of this district is *baria* which needs long resting fallows of the type mentioned above in the discussion of the Saugor figures, it is fairly clear that from now onwards pressure of population upon the soil is a factor to be considered. There are still certain areas capable of excision from the Government forests. Wisely it has been proposed at present before giving out these lands to develop some of them experimentally on the lines best suited for agriculture, the necessary clearing, embanking, demarcation, etc., being done on scientific lines as scarcity works during 1942.

35 No individual revenue inspector's circle shows an actual fall in the area held by aboriginal tenants in malguzari villages except the Nainpur Circle of Mandla Tahsil. This circle is served by the metre-gauge branch lines of the Bengal-Nagpur Railway from Nainpur to Mandla, Seoni and Jubbulpore, as well

as by the Mandla-Seoni Public Works Department road and some branch forest and third class roads. At certain centres in the circle notably Nainpur and Pindrai there are moneylenders. In Nainpur Circle the area held by aboriginal tenants has fallen from 56,700 to 52,600 acres though the number of aboriginal tenants has increased from 3,263 to 3,807. The fall in land has only been 72 acres in every thousand but the process of expropriation has begun and is much more marked in individual patwari circles. Thus in patwari circles nos 4 (which includes the bazar village of Patha Sihora) 9 (which includes Pindrai railway station), 10 and 11 (between Pindrai and Nainpur) 12 and 18 (around Chiraidongri railway station) in the last thirty years the number of aboriginal ryots has changed from 1,028 holding 19,236 acres to 1,131 holding 15,823 acres. The loss amounts to 177 acres in every thousand. In this revenue inspector's circle the area held by all tenants has increased from 85,866 acres held by 5,362 tenants to 86,958 acres held by 7,264 tenants.

36 In paragraph 26 of my *Notes on the Aboriginal Problem in the Mandla District* I pointed out that there were already colonies of non-aboriginals at various centres such as Karanjia Gorakhpur, Garhasarai, Bajag Mawai Samnapur Niwas Narainganj, Shahpur Bichhia (Niwas) etc and that in these villages much of the land has passed to non-aboriginals. Examples may be seen around Mandla itself in Mandla Revenue Inspector's Circle there is here and in the adjacent Anjan tract of Bichhia Circle a group of patwari circles (nos 22 to 30 and 34) where aboriginals are in a minority. Thus in patwari circle 22 which is close to Bamhni a market town and railway station, in thirty years aboriginals have changed from 164 holding 2,732 acres to 259 holding 2,464 acres and in patwari circle 28 through which passes the Mandla Bilaspur road 97 aboriginals holding 688 acres have changed to 92 holding 382 acres. In patwari circle 13 of Niwas Tahsil through which the Jabulpore Mandla road passes between Narainganj and Mandla aboriginals have lost 398 out of 4,434 acres. In the village of Badjhar in patwari circle 33 close to Bichhia (Niwas) aboriginals have lost since the 1928-30 settlement 600 out of 1,038 acres. In the same tahsil in patwari circles nos 36 and 37 around the important police station of Shahpura the aboriginal tenants and ryots (11 malguzari and 3 ryotwari villages) have changed from 122 holding 3,320 acres to 135 holding 2,653 acres in thirty years. In the adjacent patwari circle no 38 since 1928-30 in six malguzari and three ryotwari villages 223 aboriginals holding 5,862 acres have changed to 187 holding 5,130 acres. In Dindori Tahsil there is a group of patwari circles around Dindori (nos 17, 18, 25 and 29 to 31) where Hindus are in a majority (many of the villages belong to Rathor Teli an excellent cultivating caste) here the Gond are gradually being displaced from their remaining holdings. In the 49 malguzari villages of these seven patwari circles in the past thirty years the number of non-aboriginals has increased from 1,376 holding 18,991 acres to 2,073 holding 21,801 acres in the same period aboriginal tenants have changed from 716 holding 11,878 acres to 800 holding 9,625 acres in other words aboriginals have lost 2,243 acres and non-aboriginals have gained 2,807. In the 11 ryotwari villages of these six

circles non-aboriginals' holdings have decreased from 7,943 to 7,879 acres, but aboriginals' have increased from 2,837 to 2,944 acres, there are, however, three villages where there are now no aboriginal ryots. In patwari circle no 37, which contains the market village of Garhasarai, in four malguzari villages aboriginals have lost 392 acres and in two ryotwari villages 745 acres since settlement, a loss of 25 per cent of their land in this circle. In the adjacent market village of Gorakhpur, in patwari circle no 40, out of 592 acres held at the last settlement they have lost 242, non-aboriginals now have 318 acres more than they had in 1904-10. Even in the six ryotwari villages of this circle, which include Patan and Sunpuri, the centres of Mr Elwin's work, the aboriginal holdings have decreased in this period by 774 acres out of 2,490, while non-aboriginals' have increased from 424 to 500. The Karanjia patwari circle, mentioned in my *Mandla Notes* as an active centre of exploitation, tells the same tale. The circle consists of two malguzari and two ryotwari villages, in the malguzari villages aboriginals have lost 379 out of 2,344 acres and in ryotwari 281 out of 872 acres, a total loss of 670 acres, while in the whole circle non-aboriginals have gained 358 acres; the balance represents either the land which has gone to the malguzars or the land abandoned by aboriginals, who have absconded to escape from moneylenders.

37 These examples bear out the thesis in paragraphs 26 and 27 of my *Mandla Notes* that even in an area like Mandla the aboriginal tenants should be protected against thoughtless transfer of their lands by the extension of the Land Alienation Act to tenancy land also.

38 There is another important point of view from which this question must be considered in Mandla District. Mr E. S. Hyde, I. C. S., till recently Deputy Commissioner, points out that the quality of the aboriginals' holding is deteriorating, especially in Mandla Tahsil, and that even in ryotwari villages the better land is passing to non-aboriginals, he has noticed several examples. The malguzars have for years been getting hold of the best lands in their villages for themselves. Forced surrenders of holdings and exchanges of good land with bad land of larger areas are common. In the malguzari villages of Mandla Tahsil during the settlement of 1904-10 the average rental of an aboriginal holding was Rs 11-7-0, it is now Rs 7-9-0, although there has intervened the settlement of 1928-30, which considerably enhanced the rents. The total rents assessed in the 1928-30 settlement were Rs 2,48,434, against Rs 1,60,263 in the 1904-10 settlement, but the total rents assessed on aboriginals in the recent settlement were Rs 1,05,894 against Rs 1,12,513 assessed in 1904-10. This fall in the aboriginal assessment in contrast to the 50 per cent increase of the total assessment is a significant proof of the way in which aboriginals have been deprived of the best lands. Furthermore in 1939-40 aboriginal tenants, though holding 80 per cent of the tenancy land in the district (817,231 out of 1,084,591 acres), were assessed to only Rs 2,90,713 out of a total assessment of Rs 5,22,503. Mr Hyde observes that this "is in what the author of the Mandla District Gazetteer called the Gonds' last stronghold against Hindu aggression."

39 This substitution of bad for good land in the aboriginal ryotwari holding is facilitated by the dishonesty of patwaris and non aboriginal patels. Mr Hyde observes 'Even in ryotwari villages patels combine with patwaris to get aboriginals ousted from the best survey numbers which go to well-to-do tenants or outsiders. The patwari misleads the stupid patels and share the spoils with the cunning patels. Patwaris in Mandla are said to make small fortunes out of selling ryotwari lands. As an example in August 1940 the Deputy Commissioner revised an order passed by the Sub Divisional Officer of Mandla ejecting a Marar from the best survey number in Bisanpura ryotwari village. Originally the survey number belonged to Basodi the Gond patel. He and his son embanked the land over several years with the help of the Land Improvement Loans Act. Sixteen or seventeen years ago the son was unable to repay Rs 200 of this taccavi. The Tahsildar transferred the survey number to a Marar cultivator who paid the taccavi arrears and another Rs 200 to the Gond patel as compensation for the embankments. In December 1938 the Muslim patwari reported that the Marar and other ryots were not residing in the village in accordance with the rules under the ryotwari sections of the Land Revenue Act. The Sub Divisional Officer ejected the Marar accordingly in May 1939. As soon as the order reached the patwari a well-to-do Brahmin cultivator living in an adjacent village who already possessed 20 acres of good land in Bisanpura ryotwari was placed in possession of the vacant survey number before the end of June. This was done although there is a sound district order limiting an ordinary cultivator in a ryotwari village to 20 acres of good land and although the Brahmin lived in another village from which absentee cultivation in Bisanpura is not permitted. When local enquiry was made under the Deputy Commissioner's order in the revision proceedings it was found that all the grounds mentioned by the patwari for the ejectment of the Marar were false. Marar are not aboriginals and are amongst the best cultivators in the wilder parts of the province. If a Marar can be victimized in this way how much more easily is an aboriginal likely to be.' Constant vigilance alone can prevent such abuses and at once we come up against the fact that all the tahsils of Mandla are far too large for a constantly effective check upon patels and patwaris and malguzars.

Hoshangabad District

40 The tribal population in 1941 was 127 147 or 15.4 per cent of the population. About 50 000 of these live in the Narsinghpur sub-division. The chief elements in the aboriginal population and their strengths in 1891 and 1931 are —

Tribes	1891	1931
Gond including Pardhan	112 143	95 71
Korku	36 77	2 015
Pharis Bhumbia	3 405	503

The marked fall* in the old Hoshangabad district of Korku from 36,772 to 22,014 and of Gond and Pardhan from 64,665 to 51,118 is symptomatic of economic decline the 1931 figures are almost the same as those of 1901, and the local aborigines have not, it seems, recovered from the effects of the great famine of 1899-1900. In Narsinghpur Sub-division the 1931 aboriginal population was a few hundred less than in 1891.

41 The figures of loss of land show that aborigines are losing ground everywhere in the district except in the Rahatgaon circle of Harda Tahsil and in Narsinghpur Tahsil, excluding Kerpani Circle. The penultimate settlement of Hoshangabad took place in 1891-96 and of the old Narsinghpur district in 1894-95. Since then, except in the parts of Harda and Narsinghpur Tahsils already mentioned, aborigines have lost 184 acres out of every 1,000, and 9,359 now hold 73,100 acres against 10,347 who held 89,600 acres; the average holding has fallen from 87 to 78 acres, the fall not being so marked as it would have been if the aboriginal population had not so declined in the old Hoshangabad district. In the district as a whole the aboriginal is safe only in parts of the Satpura country along the southern border, abutting on Betul and Chhindwara districts. There are circles where the decline has continued since the thirty years' settlement in the sixties. Such are the Semri circle of Sohagpur, the Babai and Dularia circles of Hoshangabad, the Satwansa and Pagdhal circles of Seoni-Malwa and the Chichli circle of Gadarwara. That aborigines should hold in 1940 less land than they held in 1860 is astonishing when it is remembered that everywhere in the province there was an enormous expansion of cultivation between the settlements of the sixties and of the nineties. But the circles mentioned all comprise part of the rich wheat lands of the Narbada valley, where it has paid the non-aboriginal malguzar to get as much land as possible from his aboriginal tenants. Between 1891 and 1940 aborigines have lost in the Handia circle of Harda 41.5 per cent of their land, in the Satwansa circle of Seoni-Malwa 35 per cent, in the Kerpani circle of Narsinghpur 28.5 per cent, in the Bankheri circle of Sohagpur 26.1 per cent and in the Dobhi circle of Gadarwara 26 per cent.

42 Even in predominantly aboriginal areas the aboriginal tenant is not safe if his land is close to good road or railway communication or the malguzar is greedy for land or aims to

*One factor in this fall may be the transfer from Hoshangabad District to Nimar in 1896 of 192 villages of the Charwa group and in 1904 of 38 villages of the Dhamjipura group. According to Imperial Table II, on page 5 of the Tables, Volume of the 1931 Census, the effect of such changes of the areas on the population of the districts concerned was calculated and the figures adjusted accordingly. This probably applied only to Table II, it looks as though the figures of tribes and castes in Tables XVII and XVIII had not made a similar readjustment. Of the 11,000 and odd Gond, Pardhan and Ojha in Nimar District in 1896 and more than half were in the Harsud Tahsil which also had 23,960 of the 52,172 Korku in Nimar District. All the villages transferred from Hoshangabad District in 1896 and 1904 are in Harsud Tahsil. Between 1891 and 1901 the number of Gond in Nimar increased from 1,589 to 4,310 and between 1901 and 1911 from 4,310 to 8,221. In the former decade the Gond population of the old Hoshangabad district fell from 61,069 to 48,788 and in the second decade to 46,796, slightly below its present level. The Korku population of the old Hoshangabad district fell from 36,772 in 1891 to 22,571 in 1901 and 20,204 in 1911. That of Nimar District rose from 10,180 in 1891 to 31,041 in 1901 and to 36,929 in 1911. These transfers however do not account for the fact that the aboriginal population of the old Hoshangabad district has somewhat decreased since 1901.

secure tenants whom he considers to be more reliable. Typical is the south of the Itarsi circle of Hoshangabad the part where aboriginals are in a majority begins roughly speaking from about $1\frac{1}{2}$ miles south of the main Jubbulpore Bombay Great Indian Peninsula line. The few aboriginal holdings in the circle north of this line contain only the poorest soils and what expropriation was considered worth while took place many years ago. In the table below the first three patwari circles are on the northern edge of the aboriginal country in the foot hills of the Satpuras the other circles are for the most part in the estates of the Subedars of Bordha and Taku. The Itarsi Nagpur Great Indian Peninsula line passes through the centre of this country and also the Itarsi Betul Public Works Department road there are branch roads from Kesla to Taku and from Suktawa to Bordha while some useful forest roads have further opened up this tract—

Patwari Circle No	1891-96 settlement		1939-40	
	No of aboriginal tenants	Area held by them in acres	No of aboriginal tenants	Area held by them in acres
(1)	(2)	(3)	(4)	(5)
21	19	268	10	55
27	24	116	24	6
57	150	1,252	154	844
59	160	1,273	83	866
60	158	2,885	138	2,177
(Bordha) 61	199	2,424	135	2,093
62	177	3,410	140	1,989
63	84	2,152	103	1,554
Total	971	13,780	792	9,624

In these 8 patwari circles in about 45 years aboriginal holdings have decreased from 971 comprising 13,780 acres to 792 comprising 9,624 acres a total fall of 302 acres in every thousand. The aboriginals here are a good stock of mixed Gond and Korku. This is a typical area of active exploitation which was already in progress when the District Gazetteer was being written. It is closely paralleled in the adjacent tracts of Betul Tahsil. When touring here in 1935 I came across one village where money lenders were still fraudulently getting two old Korku to make annual payments on debts supposed to have been consolidated in the voluntary debt conciliation proceedings that followed the great famine of 1899-1900. Further east much of the southern border of Sohagpur Gadarwara and Narsinghpur Tahsils belongs to ancient aboriginal families, such as the Korku Jagirdar of Bariam Pagara and the Raj Gond Rajas of Sohlapur Latchpur and Chuchli. Even here the dispossession of the aboriginal proceeds except in Bariam Pagara Jagir. The fact is that the Raj Gond Raja is often the most active hindrance of all and there is seldom any feeling of common economic or social interest between him and his Gond tenantry. Bariam Pagara has hitherto been protected by its isolation and by the fact that the

jagirdar was connected by kinship with the Korku inhabitants of most of his villages. Turning here in 1935, I received a complaint from a few Hindu inhabitants of some of the villages that the old Jagirdar levied *begar* from them and not from his Korku tenants, a strange reversal of the usual process. For over 60 years this old Jagirdar held the estate, but his recent death was followed soon by the death of his successor, there are two claimants now contesting the succession, and as each is raising money to finance the litigation from Baniyas or by grant of forest leases, this estate also may now witness the incursions of land-hungry exploiters.

Nimar District

43 The tribal population in 1941 was 106,934 an increase of 14,211 since 1931. There are now 200 aboriginals in every thousand of the population against 198 in 1931. The table below compares the principal elements in the aboriginal population in the 1891, 1901 and 1931 censuses —

	1891	1901	1931
Korku	10,118	31,041	52,172
Bhil	21,460	22,323	*25,993
Gond and Pardhan	1,589	4,418	10,902
Koli			3,332
Total	33,167	57,782	92,419

In 1931 the four communities named comprised 92,419 out of a total aboriginal population of 92,723. This is the only district with a large Bhil element. 23,379 out of the 25,993 Bhils of the district were in 1931 returned from Khandwa Tahsil where there are a number of Bhil villages close to the Nerbada in Badud circle in the north-west and in Pandhana and Singot circles in the south. In 1931 there were 341 aboriginals in every 1,000 in Harsud Tahsil, 188 in Burhanpur Tahsil and 156 in Khandwa Tahsil.

44 The comparative figures shown in tables I to IV of areas held by aboriginals in *malguzari* and *ryotwari* villages at the various settlements do not include figures for those villages which have never had any aboriginal tenants or ryots. In all figures have been collected for 537 *malguzari* and 306 *ryotwari* villages out of some 1,150 villages. Taking the district as a whole, aboriginals have suffered far less loss of land here than in most districts. In *malguzari* villages it is true that while the number of aboriginal tenants has risen since the settlement of 1895-98 from 3,930 to 4,572, the area held by them has fallen from 56,155 to 51,358 acres. Against this, however, the number of aboriginal ryots and the area of the survey numbers held by them have risen from 2,119 holding 56,812 acres to 4,973 holding 111,015 acres. The decline in the area held in *malguzari* villages by

*The census tables of 1931 are discrepant as to the Bhil population, the table on page 457 gives the total as 25,993 whereas that on page 414 shows it as 24,993. The former figure has been taken, as apparently based on correct addition of figures given for the Bhil population of each of the three tahsils.

aboriginals is not paralleled by a decline in the total holdings of tenants of all communities which have increased in the same period from 289 783 to 409 587 acres. There has of course been a large increase in the total number of tenants. For the whole district the average holding of all tenants in malguzari villages has fallen in 45 years only from 13.5 to 11.1 acres; the average aboriginal tenant's holding has fallen from 14.3 to 10.88 acres. On the other hand the average aboriginal holding in ryotwari villages has risen from 21.6 to 24 acres.

45 It is the great ryotwari expansion that has more than saved the aboriginal in this district. That expansion was most marked in the areas transferred to Harsud Tahsil from Hoshangabad District in 1896 and 1904 (the Padlia circle and the Khaknar circle of Burhanpur and the Singot circle of Khandwa Tahsil). In these circles there has also been a general expansion of cultivation in the malguzari villages and though in Singot Circle the area held by the aboriginal tenants is about the same in 1939-40 as in the 1895-98 settlement, in the other two circles the aboriginal tenants have increased their total holdings in malguzari villages. The figures of these circles are given below —

Circle	Number of villages	1895-98		1939-40	
		Number of all tenants or ryots	Area held by them (100 acres)	Number of all tenants or ryots	Area held by them (100 acres)
(1)	(2)	(3)	(4)	(5)	(6)
Padlia—					
Malguzari	39	674	9.4	1 012	22.8
Ryotwari	78	2 115	65.8	3 781	97.7
Total	117	2,789	75.2	4 793	120.5
Khaknar—					
Malguzari	15	410	8.0	759	14.4
Ryotwari	65	1 356	39.7	3 485	76.8
Total	80	1 966	47.7	4,244	91.2
Singot—					
Malguzari	51	2 506	38.1	4,240	53.4
Ryotwari	34	629	18.2	1 498	34.8
Total	85	3 135	56.3	5 738	88.2
Total—					
Malguzari	105	3 590	55.5	6 011	90.6
Ryotwari	177	4,300	123.7	8 764	207.3
Total	282	7 890	179.2	14 775	297.9

Circle	1895-98		1939-40	
	Number of aboriginal tenants or ryots	Area held by them (100 acres)	Number of aboriginal tenants or ryots	Area held by them (100 acres)
(1)	(7)	(8)	(9)	(10)
Padlia—				
Malguzari	525	6,3	515	8,8
Ryotwari	1,088	32,6	2,041	51,9
Total	1,613	38,9	2,556	60,7
Khaknar—				
Malguzari	227	4,3	320	5,3
Ryotwari	567	14,6	1,685	34,3
Total	794	18,9	2,005	39,6
Singot—				
Malguzari	584	10,6	994	10,6
Ryotwari	103	2,7	652	13,7
Total	687	13,3	1,646	24,3
Total—				
Malguzari	1,336	21,2	1,829	24,7
Ryotwari	1,758	49,9	4,378	99,9
Total	3,094	71,1	6,207	124,6

One remarkable thing is the very small decline in the average holding. The average (all holdings) for all tenants and ryots has fallen in 45 years from 22.7 to 20.3 acres and for aboriginal tenants and ryots only from 23.0 to 21.1 acres. The average ryotwari holding has fallen only from 28.8 to 23.9 acres for all ryots, and from 28.0 to 22.8 for aboriginal ryots only. Perhaps the ryotwari rule under the Land Revenue Act whereby no ryot can claim partition of a survey number has helped to prevent fragmentation of holdings. In malguzari villages the average size of all tenants' holdings has fallen from 15.9 to 15.1 acres and of aboriginal tenants' holdings from 15.9 to 13.5. It looks as though the fact that in these circles there were large alternative areas of ryotwari land available had both provided scope for younger sons to take up fresh land and had checked the tendency of landlords to expropriate their tenants' lands. In these circles clearly, as in Mandla District and Baihar Tahsil, two other aboriginal areas where there has been a marked ryotwari expansion, the ryotwari system has marked advantages for securing the contentment of aboriginals. In the Padlia circle of Harsud recently the local aboriginal patels and villagers spontaneously

brought in a purse of Rs 1 400 for the Nimār District War Fund largely as a thank offering for the recent cancellation in that circle of the system of auctioning vacant survey numbers. The effect of the auction system was that the aboriginal was always outbid and that non-aboriginals intruded themselves into the aboriginal villages whenever an aboriginal survey number was vacant. The change is salutary like the similar practice followed in the Melghat Taluq.

46 Although in Nimar generally therefore there is not much real expropriation to worry about yet in Khandwa Tahsil (excluding Singot Circle) in the Shahpur circle of Burhanpur Tahsil and in Harsud Tahsil (excluding Padhia Circle) in mal guzari villages the area of aboriginal holdings has fallen since 1895-98 from 30 800 to 23 300 acres by 24.3 per cent. Some of the dispossessed aboriginals may have made their way to the ryotwari areas. This however does not seem to apply to the Bhil population nor have the ryotwari areas in any of these circles seen more than a nominal increase in the number of aboriginal ryots. Such expansion as there has been in the ryotwari villages of the Mundi circle of Khandwa and the Burhanpur circle of Burhanpur Tahsil has benefited mainly non-aboriginals. In all the mal guzari villages of Khandwa and Burhanpur bordering on Indore State and the East Khandesh district of Bombay aboriginals have lost and are losing a great deal of land particularly in the Pandhana circle of Khandwa where aboriginal holdings have fallen from 11 549 acres in 1895-98 to 9 875 in the last settlement and 7 993 in 1939-40 a loss of 308 out of every 1 000 acres. In these 45 years the number of aboriginal tenants has moreover increased from 640 to 757 so that the average aboriginal holding has decreased from 18 to 10½ acres. The aboriginal tenants clearly need protection from expropriation in these western circles. In Khandwa Circle they now have only 1 054 acres left and in Burhanpur 3,330 having lost in the past 20 years 307 and 689 acres respectively but these small remnants also would be worth protecting from alienation.

Betul District

47 In this district Bhainsdehi Tahsil is a Partially Excluded Area. In 1941 the tribal population of the district was 167 447 or 382 in every thousand of the population compared with 377 in 1931 it increased by 14,284 in 1931-41. In 1931 aboriginals numbered 502 out of every thousand in Betul Tahsil and 544 out of every thousand in Bhainsdehi. The table below compares the strength of the Gond and Korku communities which constitute all but a handful of the local aboriginals recorded as such at the censuses of 1891, 1901 and 1931 —

Tribe	1891	1901	1931
Gond*	94 540	84 513	115 648
Korku	31 880	23 868	37 464

The 1901 fall represents the effects of the great famine. Pardhan were not then separately enumerated but 2 000 has been added to the 1901 figure of Gond as a rough estimate of the Pardhan.

*Including Pardhan and Ojha

strength in that year. In 1931 there were 58,500 Gond in Betul Tahsil, 22,400 in Multai and 27,700 in Bhainsdehi, there were 12,856 Korku in Betul, 23,216 in Bhainsdehi and 1,362 in Multai. In the whole district aboriginal tenancy holdings have since the settlement of 1897-99 fallen from 336,300 acres held by 20,773 tenants to 316,800 held by 23,661 tenants, and the average aboriginal holding has thus fallen from 16.2 to 13.4 acres. If we add the 35,100 acres held by 1,162 aboriginals in ryotwari villages in 1897-99 and the 55,400 acres held by 2,924 aboriginals in these villages in 1939-40, we get a nominal 12 years' increase of the total aboriginal holdings from 371,100 to 372,200 acres, but, as the number of aboriginal tenants and ryots has increased from 22,235 to 26,568, the average holding has fallen from 16.7 to 14 acres. In contrast the number of non-aboriginal tenants and ryots has risen from 21,078 holding 112,985 acres to 34,338 holding 510,567 acres, and their average holding has fallen from 17.2 to 14.9 acres. In 1897-99 aboriginals were 48 per cent of the tenantry and ryots and held 17.3 per cent of the tenancy and ryotwari land. In 1939-40 they were 43.6 per cent and held 42.2 per cent of the land.

18 In some parts of the district the tendency to expropriation is greater than in others. We will first take Bhainsdehi Tahsil, the partially Excluded Area. The Nanda revenue inspector's circle, except for a few villages south of the Tapti, is almost purely aboriginal and includes the very jungly tract of country along the Tapti valley between the Amraoti, Khandwa and Hoshangabad districts. In its 136 malguzari villages (which include a large number of villages held by the Korku malguzari families of Dumjipura) aboriginal holdings have increased from 45,330 to 58,151 acres since 1897-99, and in the 15 ryotwari villages from 2,010 to 1,811 acres. But in the other two circles, Athnair and Bhainsdehi, aboriginals have lost heavily. In the malguzari villages they have lost 11,071 acres out of 72,596, a fall of 15.2 per cent. The fall is much more marked in certain localities. An ethnographic tahsil map prepared in the district office showed that in a belt of country extending west from Bhainsdehi to the borders of Multai Tahsil beyond Athnair and roughly 12 miles deep from north to south it is traversed by the Betul-Ellichpur road and the Betul-Athnair road, from west to east it is crossed by the Bhainsdehi-Athnair road, from Athnair circle in the 11 patwari circles nos 1, 13-16, and 18-23, 750 aboriginals holding 12,928 acres in 1897-99 have fallen to 568 holding 8,340 acres in 1939-40, a loss of 36 acres in every hundred. In the same period the non-aboriginal tenants have increased from 1,045 holding 28,805 acres to 1,639 holding 35,963 acres, an increase of practically 25 per cent in area, the total area held by all tenants has increased by only 6,000 acres. In the adjacent group of 12 patwari circles of Bhainsdehi Circle (nos 17 and 25 to 35) against 1,113 aboriginals holding 29,693 acres in 1897-99, there were 1,167 holding 21,304 acres in 1939-40, a loss of 29 acres in every hundred, in the same period non-aboriginal tenants increased from 1,125 holding 25,418 acres to 1,823 holding 35,008 acres, by 9,590 acres or nearly 38 per cent. In these 23 patwari circles in 1897-99, 46 per cent of the tenantry was aboriginal and held 44 per cent of the tenancy land, in 1939-40

only 33 per cent of the tenantry were aboriginals and they held only 29.5 per cent of the tenancy land. It is obvious therefore that under our very eyes a wholesale transformation of the racial composition of the tenantry of this Partially Excluded Area is in progress. In June 1940 I toured in this area. As I walked in patwari circle 7 from Kotakund on the Betul Ellichpur road some 45 miles from Betul to the village of Udama with a party of Gond and Korku villagers field after field was pointed out to me which had within the last ten or twelve years passed from the hands of Gond or Korku cultivators into those of absentee Hindus or into the *malguzars* homefarm. It must be remembered that the figures of expropriation given of tenancy land in the statement include only land that is tenancy land; if aboriginal land had become part of the *malguzars* homefarm it was not included in the 1939-40 figures of aboriginal tenancy land so that actually the increase in land cultivated by or on behalf of non-aboriginals is considerably greater than the figures reveal. Another bad feature of the villages to which I have referred was that in many cases the former Gond tenant continued to cultivate his *quondam* holding as the sub-tenant or *bataidar* of the *malguzar* or the new tenant.

49 In Betul Tahsil Betul Circle is a principal scene of expropriation, the aboriginals have since 1897-99 lost 5,659 acres out of 32,986; the non-aboriginals' holdings have increased by 10,488 to 74,028 acres. In Chicholi Circle the process is beginning since the settlement of 1916-20 the aboriginals have lost 3,000 acres out of 56,026 and the non-aboriginals have gained 3,116 acres. Only in Shahpura Circle has there been an increase from 3,330 aboriginals' holding 49,652 acres of tenancy land to 3,914 holding 49,783, but in this circle there are 35 ryotwari villages where cultivation has been expanding and aboriginal ryots have increased from 620 holding 13,504 acres to 1,324 holding 24,003 acres; even when there is ryotwari land available the *malguzars* problem tends to be how to retain his aboriginal tenants rather than how to dispossess them. A reference to the ethnographic map of Betul Tahsil will show, as in the case of Bhainsdehi Tahsil, that the expropriation of the aboriginal ryots is most active in the patwari circles around Betul and Chicholi where aboriginals are a minority of the population. In the north of the tahsil where there is most forest and soils are poor the aboriginal holds his own save around certain bazar villages.

50 In Multai Tahsil aboriginals are only 18 per cent of the population. They are in a majority only in a few villages along the northern and southern borders. Everywhere they are losing land and in the 281 *malguzari* villages their holdings have since 1897-99 decreased from 83,212 to 67,016 acres, a fall of nearly 20 per cent. The number of aboriginal tenants has risen from 4,159 to 4,734 so that the average holding has fallen from 18 to 14 acres.

51 There are few districts where the necessity for protecting aboriginal tenants is stronger than in Betul, sandwiched as the district is between the highly developed Nagpur and Berar plains to the south and the Narmada valley to the north.

Chhindwara District

52 This huge district now comprises the former Seoni District and has an area of 7,794 square miles and a population (1941) of 1,034,040, of which 384,681 are aboriginals, or 372 in every 1,000, a decrease from 386 in 1931. The jagir estates of Chhindwara and Amarwara Tahsils in this district are Partially Excluded Areas. They had a 1941 population of 93,823, of whom 62,292 or 675 in every 1,000 were aboriginals. The jagir expropriation figures are considered separately from the *khalsa* area, as figures are not available for individual tenancy holdings in the jagirs until the last settlement (1916-20).

53 The chief aboriginal communities of the district and their strength in 1891 and in 1931 (when the aboriginal totals of the old Chhindwara and old Seoni districts respectively were 215,737 and 157,341) are shown below --

Tribe	1891	1931
<i>Old Chhindwara District.</i>		
Gond (including Muria, Ojha and Nagarchi) ..	139,898	178,253
Pardhan ..	4,293	8,698
Bharia-Bhumia ..	6,801	7,199
Korku ..	12,559	18,958
<i>Old Seoni District.</i>		
Gond (including Nagarchi and Ojha) ..	145,270	138,401
Pardhan ..	13,035	15,615
Bharia-Bhumia ..	1,690	1,536

The fall in Seoni is noticeable

54 In the *khalsa* area of the combined district, Table I shows that in malguzari villages against 30,933 aboriginal tenants holding 514,900 acres in 1891-95 there were in 1939-40 43,078 holding 531,700 acres, the average holding falling from 17 to 12.3 acres. In the same period non-aboriginal holdings have changed from 764,000 acres held by 54,515 tenants to 976,600 acres held by 84,010 tenants, their average holding falling from 14 to 11.6 acres. It should be remembered that the average 11.6 acres of the non-aboriginal has infinitely better soil than the 12.3 acres of the aboriginal. As usual, the aboriginal has fared better in the ryotwari villages, of which there are 267, mostly small and in Lakhnadon Tahsil. Here aboriginal ryots, total occupied area and average holding have since 1891-95 changed from 1,661 persons, 38,600 acres and 23.2 acres to 3,398 persons, 76,000 acres and 22.4 acres. The corresponding changes for non-aboriginal ryots have been from 1,130 persons, 27,600 acres and 24.4 acres to 1,523 persons, 32,900 acres and 21.6 acres.

55 More detailed examination of the figures shows expropriation in steady progress in various areas. Table III shows that in Sausar and Seoni Tahsils, the Mohkhed and Chhindwara circles of Chhindwara Tahsil and the Chand and Chaurai circles

of Amarwara Tahsil since 1891 95 aboriginal holdings in malguzari villages have changed from 279 100 acres held by 18 462 tenants an average holding of 15 1 acres, to 249 300 acres held by 23,254 tenants an average holding of 10 7 acres aboriginals have lost 107 out of every 1 000 acres

56 *Sausar Tahsil*—This mainly Marathi speaking tahsil lies largely in the Nagpur plain and the foothills along the southern edge of the Satpura plateau The loss of land is marked in the Sausar and Pandhurna circles but is less in the more jungly Bichhua circle For the two former circles the change since 1891 95 has been from 3 277 aboriginal tenants holding 48 429 acres rented at Rs 17 571 to 4 112 holding 38 570 acres rented at Rs 17 339 a loss of 9,859 acres or 20 4 per cent In this period non aboriginal holdings have risen from 123,289 acres held by 9,564 tenants at a rent of Rs 1,24,006 to 154 161 acres held by 15 621 tenants at a rent of Rs 1 69,291 Note the contrast in 1939-40 in average rent per acre aboriginal tenants 7 annas 3 pies per acre others Re 1 11 There has been some but not much exchange of good for bad land in the hands of aboriginals since the 1915-19 settlement as their average rent has fallen only from 7 annas 4 pies to 7 annas 3 pies but all good land passed from their hands at an earlier date In Bichhua Circle only 19 acres out of a total of 24 438 has been lost by aboriginals but since the 1915-19 settlement the average rent per acre of aboriginal holdings has fallen from 8 annas 10 pies to 8 annas 5 pies indicating that malguzars and others have started to elbow them out of their best land the average rent of non aboriginal holdings in 1939-40 was 15 annas 7 pies per acre

57 *Chhindwara Tahsil*—In the Parasia and Bhatodia circles the aboriginals have actually increased their total holdings in malguzari villages since 1891 95 but since the 1915-19 settlement the average rent per acre has fallen in the former circle from 7 annas 11 pies to 7 annas 1 pie and in the latter from 5 annas 8 pies to 5 annas 6 pies In Mohkhed Circle since 1891 95 they have lost 113 out of every 1 000 acres but the average rent (7 annas 7 pies per acre) has not fallen since settlement The average non aboriginal rent is about 5 annas higher In Chhindwara Circle aboriginals have since 1891 95 lost 4 188 acres out of 27 561 or 152 out of every 1 000 and the average rent per acre has since 1915-19 fallen from 9 annas 6 pies to 9 annas 4 pies the average rent per acre paid by non aboriginals is 14 annas and they clearly are rapidly monopolising the good soils Expropriation is marked in the patwari circles round Chhindwara town and the following paragraphs give notes of detailed enquiries made in patwari circles nos 20 28 36 and 39

58. *Mauza Gangotwara patwari circle no 20*—

Year	Number of aboriginal tenants	Area in acres held by them
Second settlement	36	530.54
Third settlement	41	440.25
1939-40	52	355.43

(a) Karia and Gariba, sons of Gorakh Gond, owned 58 21 acres of the *sir* and *khudkashit* land of this village and were each the malguzars of a twelfth share of the village. Karia's share was sold to Seth Devendra-kumar Karia's son said that the sanction of the Deputy Commissioner was not obtained for this transaction which took place 11 or 12 years ago. He did not know the price. Gariba still owns his twelfth share of the village. He and Karia's sons are now in possession of about 32 acres. About 28 acres seems to have been sold to Seth Devendra-kumar along with Karia's share and was subsequently sub-let to non-aboriginals.

(c) Rama and Harising owned 4.36 acres of the land and absconded, the malguzars took possession

(d) Daulat, son of Gorkhi Gond, had 28.75 acres of the land and second settlement and 32.42 acres of the land has now only 8.11 acres left. The land was sold to Magansao in settlement of a debt about Rs. 800

(e) Radu Gond had 23 69 acres of land at the second settlement and his descendants had 26 80 acres at the third settlement. Now they have only 11 acres, in 1935 or 1936 about 10 acres were surrendered by his descendant Gulab in payment of a debt of Rs 300, while his other heirs, Ganjan and Dhuria, sold their holding to Seth Devdrakumar in settlement of a debt of about Rs 400. These persons did not apply

to the Debt Conciliation Board but made a private agreement with their creditor. It could not be ascertained why and how the debt was incurred.

- (f) Bhura Gond had 14.42 acres. His grandson Fundan states that his elder brother sold the whole holding to Premlal Kalar for Rs. 500. This debt began when some *kutki* grain was taken on loan from Premlal's father for a marriage as no interest was paid the amount went on increasing and ultimately the whole holding had to be surrendered to the malguzar for clearing off the debt.
- (g) Adan Pardhan had 27.62 acres of land but his heirs are now landless labourers in this village. Adan himself had surrendered the holding to the malguzar owing to some debt. The malguzar then gave this holding to Manakchand Mehra for Rs. 700.

59 *Mausa Partala, patwari circle no 20 —*

Year	Number of aboriginal tenants	Area in acres held by them
Second settlement	20	258.55
Third settlement	20	173.68
1939-40	15	136.91

- (a) Radhia Gondin had 37.50 acres of land at the second settlement but her heirs are mere labourers and do not know how the holding was lost. The malguzar Kishanlal leased out this holding to Komal Brahmin and others for Rs. 500 before the third settlement.
- (b) Dawana Gond had 49.25 acres at the second settlement. His heirs have absconded to Karaboh where they are cultivating some land. Their holding is now included in the malguzar's *sir*.
- (c) Subhan Gond had 45.95 acres of the land at second settlement but lost it all before the last settlement. His grand nephew Bhabutsing is a labourer. The malguzars took possession of this holding and subsequently leased it to non-aboriginals.

60 *Mausa Mowader, patwari circle no 20 —*

Year	Number of aboriginal tenants	Area in acres held by them
Second settlement	12	273.92
Third settlement	18	193.07
1939-40	18	64.29

- (a) Adan Gond had 22.14 acres of land at the second settlement. His heirs were in possession of the holding at the last settlement. They surrendered the holding for Rs. 100 to the malguzar in 1932 or 1933. They lived at Gangiwara and did not find it convenient to cultivate their lands in Mowader which were of inferior quality. They have about 16 acres of land at Gangiwara.

- (b) The malguzar Jugraj took possession of Kuwar Gond's holding of 13 33 acres after his death, he left no heirs
- (c) The heirs of Dongru Gond who had 13 19 acres abandoned the holding and went away to Powama where they are labourers
- (d) The heirs of Bhada Gond who had 38 47 acres abandoned the holding and are living at Palamau in Mohkhed Circle They had no bullocks and being in extreme poverty and debt migrated from Mowadei The malguzar gave them no compensation

61 *Mauza Satnur, patwari circle no 20 —*

Year	Number of aboriginal tenants	Area in acres held by them
Second settlement	3	22 5
Third settlement	1	22 48
1939-40	5	34 55

Both the number of the tenants and the area held by them has increased in this village, because Duklu has purchased some 8 acres of *khudkasht* land from the malguzar and Ramu has been cultivating some *khudkasht* land on *batai* for the last two years In a talk with Ramu, the Naib-Tahsildar told him that in law he had become and was recognised as an occupancy tenant of the *khudkasht* land But Ramu said that he had no intention of being dishonest and, as he did not consider the land to be his, was not prepared to take the advantage of the law

62 *Mauza Kawadia, patwari circle no 39 —*

Year	Number of aboriginal tenants	Area in acres held by them
Second settlement	14	46 58
Third settlement	15	11 08
1939-40	13	23 65

- (a) One Pandu, son of Udho Gond, had about 25 acres of occupancy land at the second settlement, his distant heir Tilokchand now has 0 19 acre only Before the last settlement, the villagers said, Pandhu and his two brothers incurred a debt of Rs 100 for performing marriages, and had to surrender the holding to the malguzar The whole family migrated after the surrender to mauza Seoni-Pranmoti The land is at present included in the *sir* of the malguzar Madhaorao Salpekar
- (b) Another important holding of 19 97 acres in this village belonged to Jugraj and Juggu Gonds It could not be found out how they had lost the land which is now part of the *sir* of the malguzar Madhaorao Salpekar There are two mango trees in this holding and Bhangad, son of Jugraj, still gets the fruit of these trees, Juggu's son is a labourer at Dhimarmeta

- (c) Lutu Gond has been cultivating 12.19 acres of the malguzar & khudkasht land for the last three years. He is recorded as occupancy tenant but is not prepared to claim occupancy rights as he considers himself obliged to the malguzar who gave him the land on *batai*. He is not indebted.

63 *Mauza Sonakhar patwari circle no 39 —*

Year	Number of aboriginal tenants	Area in acres held by them
Second settlement	13	146.87
Third settlement	18	152.59
1939-40	16	88.09

- (a) Karia Gond had 24.46 acres at the second settlement. His son Sukhlal had 27.38 acres at the last settlement. His grandsons Kamal and Peshram own now only 1.92 acres. By a registered deed Kamal and Peshram surrendered their holding of 26.28 acres to the malguzar on the 23rd May 1939. A perusal of this document showed that the malguzar paid Rs. 60 in cash and adjusted Rs. 40 towards the rental arrears. He also settled a decree of Rs. 275 obtained by Gopali Sonar against the tenants in civil suit no. 146 of 1939 of the Court of the Sub Judge 1st class Chhindwara. Kamal and his mother said that Sukhlal had originally borrowed Rs. 100 from Gopali to buy a buffalo about 10 years ago. They failed to pay the interest and the debt swelled to Rs. 250, which the civil court decreed. The debtors applied to the Debt Conciliation Board, but no settlement was reached as the creditor would not agree. Kamal and his mother contended that they were deceived by the malguzar who took their thumb impressions without telling them anything about the contents of the document; they were willing to return the Rs. 100 which the malguzar had given them but were unable to pay Rs. 275 which the malguzar had paid their creditor without their consent. The malguzar clearly paid this in order to oblige Gopali, an intimate friend of his, and deceived the tenants into executing the surrender deed. Though the decree was for Rs. 250 only, the malguzar paid Rs. 275 to the creditor. He has since allowed Kamal to cultivate his former land on *batai*. Kamal spent the Rs. 60 cash which he received from the malguzar on his marriage.
- (b) Dharmu and Karmu sons of Dhondu Gond had 38.72 acres at the second settlement. Karmu died without issue and Dharmu had 66.18 acres at the third settlement. Dharmu's son Bisan has now 25.63 acres only. The villagers said that Dharmu himself had sold 39.28 acres of the land to Nanhu Chamar for

Rs 600 by first surrendering it to the malguzar. Nanhu Chamar is alive and said that he paid Rs 200 to the malguzar as consent-money and Rs. 400 to Dharmu, who sold the holding to pay a debt due to Puran Barai of Chhindwara. Bisan has left the village and gone to work in the coal mines, leaving his land in charge of his two sons. They are not yet free from debt, and have to pay instalments of Rs 10 a year fixed by the Debt Conciliation Board for 10 years. Nanhu Chamar explained that he had in all given Rs 150 to Dharmu in 1933 or 1934, Rs 50 for paying the fine in an excise case against Bisan and Rs 100 for repaying Puran Barai. Dharmu was a sober man but Bisan is given to drinking and illicit distillation. Dharmu became indebted to Puran Barai as their cultivation was carried on in partnership, Puran financing Dharmu. The crops failed, and Dharmu could not repay Puran.

(c) At the second settlement a holding of 12.31 acres belonged to Chammu, son of Pitru Gond. He is still living but has no land and has shifted to Guraiya village. He stated that about 50 years ago the father of the present malguzar took forcible possession of his holding and drove him from the village. Chammu alleged that he then owed nothing to anybody and was not in arrears of rent. He had however made no application against this illegal ejectment. Three old villagers told the following story about Chammu's ejectment. Chammu's father Pitru died when Chammu was a boy, and his widow Mendo married Bhangi Gond. Bhangi was reputed to practise *jadutona* (witchcraft), and so all the villagers beat him and drove him from the village. Chammu and Mendo went with him to Guraiya. Chammu admitted that he had been living with Bhangi, whom he called his uncle, and Mendo at Guraiya, where they both died some 3 years ago.

(d) Bali, son of Fulsa Gond, owned a holding of 14.87 acres in this village. His heirs live at Boria and cultivate on *batai* at Atarwara. Bali had no son and his two married daughters when he died did not want this land, which is inferior in quality. It therefore was left uncultivated for some years, and then taken possession of by the malguzar.

64. *Mauza Kukra-jagat, patwari*^m circle no. 28 —

Year		Number of aboriginal tenants	Area held by them in acres	Percentage of land lost
Second settlement, 1892-93	..	15	63.95	..
Third settlement, 1914-15	..	10	23.96	62
1939-40	..	12	23.75	62

At the second settlement only the undermentioned tenants held considerable areas of land the others having been owners of small *bari* only —

	Original area Acres	Area lost Acres
(1) Dhannu, son of Mathu Gond	19.02	18.82
(2) Lala, son of Dhannu Pardhan	32.00	9.43
(3) Raini, wife of Dhurya Pardhan	11.16	10.93

(a) Dhannu's son Daddu at present holds only a *bari* of 0.20 acre. Enquiry showed that Dhannu had fallen into four years' arrears of rent and had also to repay a *taccavi* loan, the amount of which was not known. The Muslim *malguzar* paid the *taccavi* loan on Dhannu's behalf and got him ejected from all the holdings by the Revenue Court. Later on Daddu tried to assert a claim to the lost fields. The *malguzar* successfully prosecuted him for criminal trespass.

(b) Lala Pardhan's sons Duragpal and Brijlal now hold only 22.57 out of their father's 32.00 acres. Brijlal, who is nearly 50, said that more than 20 years ago a severe hailstorm destroyed all their crops and their house. Thus reduced to penury, Lala borrowed Rs. 200 from Bhagwan Kunbi at 25 per cent interest. As he could not pay four yearly instalments, the interest increased by leaps and bounds and the debt swelled to Rs. 400. Finding no other way to satisfy the debt, Lala sold 7 acres of the land to Kanhu Ghas for Rs. 700, out of which the *malguzar* took Rs. 300 as *namrana* or consent money. Lala received only Rs. 400 cash which he paid back to Bhagwan Kunbi in full satisfaction of the debt plus interest.

(c) Raini Pardhan died without any heir. The *malguzar* therefore took possession of all her land and sold it to Rodba and Daddu Gond.

65. Mauza Kaparwadi, patwari circle no. 78 —

Year	Number of aboriginal tenants	Area held by them in acres	Percentage of decrease in acres
Second settlement	21	281.49	
Third settlement	24	128.64	54
1939-40	24	126.41	55

Only the following aboriginal tenants have lost much land since the second settlement —

	Original land Acres	Land lost Acres
<i>Mahal No. 1</i>		
(a) Kirta, son of Mandan Gond	28.73	28.13
(b) Ram, Dhanu and Mangil sons of Machha Gond	36.29	35.79
(c) Amma and Sam, sons of Than inch Gond	4.00	4.00
(d) Hark, Dhanu, Amarasing and Thutha sons of Machha Gond	2.15	1.90
(e) Maru, Godham, Baiju and Dhuru sons of Chilli Bhanu	4.75	4.75

Mahal No. II.

(f) H. al. D. e. an, M. e. r. ch. ad. Jantay, son of M. e. r. ch. ad. Jantay	37 89	13 42
(g) M. e. r. ch. ad. Jantay, son of H. al. D. e. an	20 23	10 30
(h) Jiru, son of D. h. o. d. a Gond	29 81	29 81
(i) D. h. o. d. a, D. h. o. d. a and B. h. o. d. a, son of M. a. t. a. j. a. n Gond	24 44	24 44
(j) A. n. n. a. r. a. d. S. e. n. a. r. a. n, son of D. h. o. d. a Gond	15 23	9 78
(k) U. d. d. u. h. a, son of U. d. d. u. h. a Gond	32 82	19 09
(l) D. u. d. d. a, D. u. d. d. a and S. e. n. a. r. a. n, son of N. e. d. h. a Gond	17 17	14 64

- (a) Kirka's son S. m. m. u. Gond stated that Kirka had borrowed Rs. 20 and one *khanda* gram from the malguzar. Kirka could not pay back the loan. The interest increased and ultimately the whole of the land except a *barr* measuring 0.60 acre, now in S. m. m. u.'s possession, was surrendered to the malguzar.
- (b) H. r. a. j. i. b. Gond, nephew of D. h. o. d. a, said that Ropsha had borrowed Rs. 20 and some gram, quantity unknown, from the malguzar. The family could not repay the loan and so had to surrender the whole holding to the malguzar except a *barr* of half an acre now with D. h. o. d. a.
- (c) S. m. m. u. Gond could not explain how the land had been lost, he thought that it had had to be surrendered in satisfaction of some debt which he or his father owed the malguzar.
- (d) D. i. p. e. h. a. n. d. Gond, grandson of H. i. r. a. k, now owns only a quarter-acre *barr*. He said that his father Punu had surrendered the fields to the malguzar but did not know why.
- (e) M. a. r. u. B. h. a. r. i. a. stated that the malguzar had him and his brothers ejected from this land for arrears of rent.
- (f) D. i. p. e. h. a. n. d. Gond, grandson of H. i. r. a. k, now owns 11.08 acres and D. a. d. d. u, son of D. h. a. n. n. u, 13.39 acres out of their ancestral 37.89 acres. D. a. d. d. u said that they had surrendered 13.42 acres to the malguzar in satisfaction of a debt.
- (g) Out of 20.23 acres M. a. r. u. B. h. a. r. i. a. and B. a. d. a. l. B. h. a. r. i. a. have now only 9.93 acres left. M. a. r. u. said that as they had not enough bullocks, they had not been able to cultivate the rest of their holding for some years, and the malguzar took possession of the uncultivated land as abandoned.
- (h) J. o. h. a. n. Gond, an aged nephew of J. i. r. u, was adopted by J. i. r. u. J. i. r. u. had taken a loan from the Hindu malguzar. The debt increased to Rs. 600. They gave some cattle to the malguzar in satisfaction of Rs. 200 of this, and the malguzar had them ejected from the entire holding for the balance.
- (i) D. u. d. h. a. Gond said that he and his brothers were in sheer poverty and left the village to try to earn a livelihood at the village of B. a. n. d. r. i, in their absence the malguzar took possession of all their land.

- (j) Anmar and Sammar Gonds now own only 5.45 acres out of an original holding of 15.23 acres. Sammar states that they were Rs 10 in arrears with their rent and the malguzar had them ejected from nearly 10 acres.
- (k) Gaura the widow of Udesha Gond gifted 13.73 acres of his original holding of 32.83 acres to her grand son, Delhu, who explained that Udesha had borrowed Rs 30 from Sukha malguzar for constructing an embankment. Udesha could not pay back the loan and surrendered 19.09 acres to the malguzar.
- (l) Bhadu, the son of Daulat Gond, owns only 2.53 acres of his father's one-third share of his grand father Nanha's holding of 17.17 acres. According to him the malguzar made Daulat drunk persuaded him to believe that his father Nanha had owed him Rs 100 and threatened to file a civil suit against him. Daulat therefore meekly surrendered a part of the land. Bhadu alleged also that Fadali borrowed Rs 10 from this malguzar. This debt rose to Rs 40. Tugge borrowed Rs 20 which rose to Rs 200. As they could not repay these sums Fadali and Tugge surrendered their thirds of the holding. Thus out of 17.17 acres at the second settlement the family now has only 2.53 acres left.

66. *Mauza Khayri, patwari circle no 28 —*

Year	Number of aboriginal tenants	Area held by them in acres	Percentage of decrease in acres
(1)	(2)	(3)	(4)
Second settlement	63	540.18	
Third settlement	64	347.67	36
1939-40	67	308.17	43

The following tenants of the second settlement have lost all or most of their land —

Original area Area lost

Mahal No I

	Acres	Acres
(a) Barati son of Mohan Gond	95.59	42.80
(b) Sakru and Kanhai sons of Surri Gond	6.43	6.43
(c) Bhikari son of Sema Gond	21.02	21.02
(d) Jhingri, wife of Gangaram Gond	10.00	10.00

Mahal No II

(e) Bhaddu, son of Mahu Gond	26.86	26.86
(f) Fagu, son of Mahu Gond	28.20	28.20
(g) Shikari, son of Maiyan Gond	26.65	26.65
(h) Kalyan, son of Birju Gond	23.17	23.17
(i) Chaitu, son of Kunwar Gond	31.33	31.02
(j) Ganesh, son of Pandu Gond	14.63	5.24

Mahal No III

(k) Niransingh son of Kunwar Gond	37.75	37.75
(l) Bhikari son of Prema Gond	9.94	9.94
(m) Sakru and Kanhai sons of Surri Gond	60.74	60.74
(n) Barati son of Mohan Gond	9.66	9.66
(o) Amarsingh, son of Pancham Gond	10.90	10.68

- (a) Matru Gond stated that Barati was a drunkard, and had borrowed Rs. 1,400 from Debidin Halwai. As he could not repay the debt, Barati gave most of the land to Debidin instead
- (b) Kanhai's grand-daughter Muliya became four years behindhand with her rent (from 1930 to 1934), had no food and no clothes. She was given Rs 30 by the malguzar and surrendered him all her land under a surrender deed, dated the 13th January 1934
- (c) Bhikari's son-in-law Pancham said that Bhikari had borrowed some grain, quantity unknown, from Seth Keshrichand. In repayment Bhikari gave away all his land
- (d) Jhingri Gondin borrowed Rs. 31 from Raghubirdayal malguzar at 25 per cent interest on June 12th 1919. The debt increased to Rs 75-12-0, to which was added Rs 12 rental arrears and Rs 2-4-0 costs, and in satisfaction of this Jhingri surrendered all her land on June 14th 1923
- (e) Bhaddu's daughter Sukri Gondin explained that her father owed Rs 600 to the malguzar, who filed a civil suit, had him ejected and sold all the land to Anand Rao Kunbi
- (f) Matru, an old Gond, said that Fagu had owed Rs 50 to the malguzar who seized all his fields in satisfaction of the debt
- (g) It is not known how Shikari lost all his land
- (h) Kalyan died without leaving any heir whatsoever, and the malguzar took possession of his land
- (i) Chaitu Gond's son Bhaglu said that his father had to give up most of the land to Dullu Lohar, from whom he had borrowed Rs 50. Bhaglu himself sold 16.42 acres to Dewaji Kunbi for Rs 50. He and his brother Sumarsingh now own only two small *bari* plots
- (j) Fakira owed two years' rent. Rekhajji malguzar therefore had him ejected from a field of 6.00 acres
- (k) According to documents in possession of the present malguzar, Niransingh owed Rs 274-4-0 which was reduced to Rs 245 and in addition Rs 30 cash was given to Niransingh who sold all his fields for Rs 275 to the malguzar under a sale-deed, dated July 20th 1897.
- (l) Bhikari's son-in-law Pancham stated that the malguzar had Bhikari ejected from all his land for two years' arrears of rent
- (m) Muliya, the grand-daughter of Kanhai, sold her absolute occupancy field no 431 area 3.72 acres to a Brahman for Rs 87-12-0 under a sale-deed, dated October 2nd 1939. It could not be ascertained how the rest of the land was lost

(n) Suda Barati's grand-daughter stated that Barati had once cut down a *babul* tree on malguzari land. This annoyed the malguzar who forcibly took possession of his field.

(o) Amarsingh's son Armu Gond is alive but cannot say how his father lost the land.

67. *Mauza Bindrai, patwari circle no 36—*

Year	Number of aboriginal tenants	Area held by them in acres	Percentage of land lost
(1)	(2)	(3)	(4)
Second settlement	13	251.73	
Third settlement	19	127.58	49
1939-40	15	126.06	50

The following tenants of the second settlement had lost much land —

	Original area in acres	Area lost in acres
(a) Delan son of Dhundia Gond	44.62	44.62
(b) Bharti, son of Dhundia Gond	43.29	43.29
(c) Gusain son of Bhuda Gond	33.10	33.10
(d) Rahman, Sardar Dhanraj and Joharaha, sons of Daryao Gond.	58.53	11.00
(e) Himmat and Jugraj sons of Shankaraha Gond.	39.87	32.84

(a) According to documents in possession of the malguzar Delan surrendered four fields to Basodisingh malguzar in satisfaction of Rs 200 out of a debt on November 10th 1908. In June 1921 Ramsingh son of Delan surrendered the remaining 3.46 acres to Basodisingh in satisfaction of the balance of Rs 258.

(b) Basodisingh in 1914 obtained a civil court decree for Rs 490 against Bharti and in execution got possession of all Bharti's land.

(c) There was a mortgage decree of Rs 650 against Gusain in favour of Lalmansingh malguzar who obtained possession of the land.

(d) Rahmansha surrendered five of his fields to Sheosingh malguzar on September 30th 1919 in satisfaction of a debt of Rs 1060.

(e) Himmat surrendered 4.74 acres to Basodisingh malguzar on March 23rd 1907 in satisfaction of a debt of Rs 50.

68. *Mauza Rohna Kalan patwari circle no 36.—*

Year	Number of aboriginal tenants	Area held by them in acres	Percentage of area lost
(1)	(2)	(3)	(4)
Second settlement	31	147.08	
Third settlement	29	106.45	28
1939-40	26	85.73	41

The following tenants of the second settlement have lost much land.—

	Original area	Area lost
	Acres	Acres
(a) Fandi, son of Birbal Gond	18 18	18 18
(b) Girdha, son of Birbal Gond	17 27	17 27
(c) Nizam, son of Birati Gond	21 80	21 59
(d) Umed, son of Butti Gond	33 20	14 32

- (a) The present malguzar was a minor when Fandi surrendered all his land to his father, and could give no particulars of the transaction. Fandi left no heirs.
- (b) Girdha's only son Mayaram died long ago. His widow Mst. Dhanoti left the village and now lives with her nephew. Dube, the malguzar, took possession of the land.
- (c) Murne, grandson of Nizam, now owns only a *bari* of 0.21 acre but does not know how his grandfather's land was lost.
- (d) Raniitsha, son of Umed, surrendered 16.99 acres to Sheoprasad malguzar as he owed rental arrears and other debts.

69 The local officers who made these enquiries summarised their conclusions as follows. The aboriginal tenants have lost most of their land, because of debt, to literate Hindu and Muslim malguzars and moneylenders, who have in many instances charged exorbitant interest ruined the tenants and compelled them to surrender their land. Often the malguzars helped moneylenders to recover their dues by pressing Gond tenants to surrender their holdings and with rare exceptions the surrender-deeds were not registered in flagrant violation of section 89 Tenancy Act. Much of the consequent misery would have been avoided had there been in existence a Land Alienation Act applicable to tenancy land.

70 In the *khalsa* areas of Amarwara Tahsil, the aboriginals have in Amarwara Circle gained a little area since 1891-95 when 1,647 tenants held 25,070 acres against 2,377 tenants holding 20,768 acres in 1939-40 though the average holding has fallen from 15.2 to 12.6 acres and the fall since 1916-19 in the average rent per acre from 6 annas 7 pies to 5 annas 11 pies indicates that in some villages their better land is being replaced by worse. The average rent of non-aboriginal holdings is 8 annas 5 pies. In Chaurai and Chand Circles which are roughly speaking north and south respectively of the Gbhindwara-Seoni Bengal-Nagpur Railway line and main road aboriginals have lost land. Against 2,647 aboriginal tenants holding 31,754 acres in 1892-97 with an average holding of 12 acres, in 1939-40 there were 2,999 tenants holding 28,487 acres with an average holding of 9.5 acres, moreover since 1915-19 the average rent per acre has fallen from 8 annas 4 pies to 7 annas 4 pies more replacement of good land by bad. Since 1892-97 non-aboriginal holdings have risen from 86,797 acres held by 8,614 tenants to 112,474 held by 11,041 tenants there being thus only a slight fall in the size of the average holding. The average rent of non-aboriginal holdings in 1939-40 was 10 annas 4 pies per acre.

71 In *Seoni Tahsil* aboriginals have lost in *malguzari* villages only 9 034 out of 128 037 acres since the 1896-98 settlement per cent In *Barghat Circle* only has there been much ease The fall in *Gopalganj Keolari Seoni* and *Kanhiwara* has been respectively 325 233 145 and 133 acres in every island The average holdings and rent per acre of aboriginals in the whole *tahsil* have fallen since the 1918-22 settlement from 19 4 acres and 13 annas per acre to 14 1 acres and annas 4 pies per acre Against a loss of 9 034 acres in *malguzari* villages aboriginals have however gained 5,323 in *ryotwari* villages

72 In *Lakhnadon Tahsil* at the 1896-98 settlement in *malguzari* villages 5 509 aboriginal tenants held 146 154 acres with an average holding of 26.5 acres against in 1939-40 8 994 tenants holding 179 754 acres with an average holding of 20 acres But owing to the currency of the present settlement they have lost 15 706 acres while the non aboriginals have gained 13 848 In the same years neither aboriginal nor non aboriginal has gained more than two or three hundred acres of *ryotwari* land As however, average rent per acre of aboriginal tenancy land is in 1939-40 12 pies an acre higher than at the last settlement possibly much the fall in their holdings is due to relinquishment of poor stony holdings after a series of bad years But the position needs changing Around *Dhuma* for example, *malguzari* shares tend to pass from the hands of Gond proprietors to moneylenders and the Gond tenantry soon falls into debt to the new proprietors there is not much aboriginal tenancy land left in the *laidi* villages They have lost much land in *patwari* circles 9 around *Lakhnadon* itself in *patwari* circle 82 around the centre of *Ganeshganj* and in several *patwari* circles around the town of *Chhapara* The *ryotwari* villages of this *tahsil* are numerous and gave relief to aboriginals in the period of their development between the 1896-98 and the 1918-22 settlements In all holdings and aboriginal holdings increased respectively 1 28 119 acres held by 1 120 *ryots* to 60 489 acres held by 1 3 *ryots* and from 16 367 acres held by 645 aboriginal *ryots* to 32 acres held by 1 748 The subsequent 20 years have however seen an increase of only some 300 acres in the occupied area not all in favour of aboriginals There seems no scope for further expansion

73 *Chhindwara Jagirs*—Since the 1916-19 settlement the number of aboriginal tenants has risen from 9 862 holding 204,500 acres to 10 108 holding 220 700 acres in the same period that of aboriginals has risen from 3 745 holding 53,500 acres to 4 2 holding 55 900 acres Aboriginals are 675 in every 1 000 inhabitants of the *jagirs* and aboriginal tenants still hold 797 acres in every 1 000 of tenancy land But the following notes show that some expropriation has begun As however all the *jagir* estates belong to Gond or Korku proprietors and the Land Alienation Act in its present form has been applied to the *jagirs* to both Gond and Korku in law no new tenancy can be created in favour of non aboriginals without the sanction of the Deputy Commissioner under section 4 of the Act for the leasing out of occupancy rights over any land

amounts to a permanent alienation. This is commonly overlooked, not only by the aboriginal jagirdars but also by district officers administering their estates on behalf of the Court of Wards. It follows also that in view of section 4 and other sections of the Act it is necessary to notify as aboriginal tribes under section 3 not only tribes that have proprietary lands in each area, but also other tribes that have tenancy land, since otherwise, e.g., the Gond jagirdar of Batkagarh cannot legally recognise aboriginal Bharia-Bhumia—the chief tribe in much of his jagir—as new tenants without the Deputy Commissioner's sanction under section 4.

74 The following notes deal with such expropriation as has begun in the jagirs. For this purpose enquiries were made under the supervision of an Extra-Assistant Commissioner by the Naib-Tahsildars in villages selected by the Deputy Commissioner in the Sonpur, Batkagarh, Harrai, Pagara and Pachmarhi jagirs, especially in four villages of Harrai and two of Pagara. The Sonpur Jagir village was Dhanora, the headquarters of the jagir. The four Harrai villages included Harrai itself and three other villages closely adjoining it. The Pagara villages were Pagara itself and Tamia on the Chhindwara-Piparia road, the Pachmarhi Jagir village was Delakhari on the same road. The only village in Batkagarh Jagir was Batka Khapa, the residence of the Gond Jagirdar. It is important to remember that all the jagirdars are themselves aboriginals, so that the Land Alienation Act applies to the lands of which they are proprietors and that it is, therefore, illegal for them to create tenancy rights over their lands in favour of non-aboriginals without the sanction of the Deputy Commissioner, as such transfer amounts to permanent alienation. Were this insisted upon by the district authorities, non-aboriginals would be effectively debarred from obtaining tenancy lands in the middle of these Gond, Korku and Bharia villages, and thence gradually extending their footing in jagirs by money-lending and so-called partnerships in cultivation. As the following notes, however, show, the district authorities have been among the worst offenders when administering jagirs through the Court of Wards.

75 The note on Batka Khapa village is not reproduced as there is no non-aboriginal land in the village. Some Gond had given up their holdings and migrated elsewhere, a simple matter where, as here, Gond are still quasi-nomadic and are ready at any time to shift to another village where there is ample land available.

76 *Sonpur Jagir—(a) Dhanora, Patwari Circle 31*—At settlement aboriginal tenants held 510 acres, rental Rs 257, including some areas broken up from waste land. They now have 468 acres, rental Rs 241. Of the lands which they held at settlement 69 acres, rental Rs 30, have passed to non-aboriginals. Two Gond tenants, Indarshah and Subhan, have lost their lands. Indarshah's son Devidayal Shah fell into rental arrears of about Rs 150. He therefore sold 30.27 acres of land to Hiralal Rania of Dhanora for Rs 260 and paid the arrears. Subhan Gond had leased his land to Sadaram Katia for 6 years about 14 years back. Baisakhu Gond, Subhan's brother, paid back Rs 140 to Sadaram and got back his brother's land. But their ill-luck

did not end there Subhan had for a number of years owed one *handi* of grain to Imratlal Patel This cunning Hindu mischievously increased the debt to Rs 100 and demanded payment from Baisakhu, who naturally could not pay up By some means or other Imratlal then took possession of Subhan's land and sold it to Dulichand Dhobi for Rs 190

(b) *Surlakhapa Patwari Circle 37*—Since settlement aboriginals have lost only 26 acres rental Rs 20 out of the 562 acres rental Rs 261, at settlement The land which has been lost belonged to Pusaua Gond now dead His brother Dhirai stated that soon after Pusaua was dead his son Divali became three years behind with his rent As he could not pay the rent of the land he surrendered it to the jagirdar of Harrai who holds this village of the Sonpur Jagir in *mukasa* right then under Court of Wards The Court of Wards settled the surrendered holding with a Katia still in possession who paid up the arrears and Rs 20 *nazarana*

77 *Harrai Jagir*—(a) *Anjanpur Patwari Circle 46*—Aboriginals actually held 483 acres against 461 at settlement, but much of this is new cultivation and 100 acres rental Rs 35 now has passed to non-aboriginals Three aboriginal occupancy tenants Duklu Pitamshah and Basori all Gond have lost land Duklu Gond held 66·94 acres at the last settlement Practically all his land has been acquired by Chhotelal Patwa of Harrai His grandson Bajari now 21 years old is his only surviving heir but does not know how the land was lost Chhotelal says he had paid up some old taccavi arrears on behalf of Duklu's son Damdu, and the Manager Court of Wards (Jagir Harrai) sold the land to him Damdu was perhaps ejected for non payment of rental arrears and was also in arrears of taccavi Bajari has now purchased some *barra* land and pays Rs 13-7-0 rent Pitamshah Gond was indebted to Chhotelal Patwa the amount and cause of this debt is not known As Pitamshah could not repay he finally had to transfer 20 acres of land to the creditor Basori Gond was in debt to Balaram Patwa of Harrai the amount and cause of the debt is not known To pay the debt 33 acres of land were transferred and are now in possession of Fagulal Patwa of Harrai

(b) *Imrai Kalan Patwari Circle 46*—Like Anjanpur this village is close to Harrai At settlement aboriginals held 449 acres rental Rs 102 in occupancy right They now have only 260 acres rental Rs 37 and as much as 224 acres rental Rs 61 has passed to non-aboriginals The main cause of this land has been the hurry to make money by a Gond lessee to whom the Harrai Jagirdar leased the village for 20 years Though a Gond the lessee's management has been disastrous to his fellow-Gond He has consistently tried to make every possible pie by selling tenancy rights the more recklessly as the term of his lease approached completion The village is so near Harrai and so close to the Harrai Narsinghpur main road that non-aboriginals are only too ready to take land The lessee transferred tenancy rights in the following villages to non-aboriginals—

- (1) 50·86 acres the holding of Kammu Gond who died without heir to Jamuna Prasad Bania for Rs 300 under a sale-deed dated the 23rd December 1927

- (2) 33.68 acres to Umrao Kalar of Harrai, about 22 years back (Price not known. The land formerly belonged to Biktam Gond, who died without heir),
- (3) 44.18 acres of Ghannu Gond, who was forced by poverty to surrender it to the Thekedar, to Gorelal Sunar of Harrai for Rs. 150,
- (4) 23.26 acres, surrendered by Birval Gond, on account of poverty, to Durgelal Teli of Harrai, for Rs. 100 on June 5th 1935,
- (5) 20.07 acres to Bansilal Teli of Harrai, for Rs. 125 (the former tenant is not known),
- (6) 7.25 acres to Bansidhar Karieth, who paid up Rs. 19 old arrears of rent due from the former Gond tenant,
- (7) 30.85 acres, rent Rs. 9-2-0 surrendered by Parmu Gond, because of poverty, to Bipatlal Teli of Harrai for Rs. 400 (Parmu has now some miserable *barra* and *mutharia* land assessed at only Rs. 3 rent),
- (8) 5.19 acres to Mst. Mugia, a Harrai Hindu, for Rs. 15;
- (9) 17.08 acres, rent Rs. 9-2-0, to Mst. Janki Sahis of Harrai for Rs. 435 (The former owners of nos. 8 and 9 were aboriginals)

In all the thekedar has transferred to non-aboriginal tenants 211 acres for a total consideration of Rs. 1,511

(c) *Rabra Khurd Patwari Circle 46*—This village also is close to Harrai. The aboriginal occupancy tenants hold 329 acres, rental Rs. 94 against 180 acres, rental Rs. 29 at the last settlement. This, however, is due to expansion of cultivation. Non-aboriginals have already acquired 57 acres, rental Rs. 35 and are gradually establishing themselves in such ways as the following:—

Mohanlal Gond surrendered his holding of 6.35 acres and went away to the village of Sironu. Mst. Sundar, the Gond *mokasdarin*, then sold it to Nurkhan Muslim for Rs. 10. Chhuttan Sunar of Harrai purchased 16.17 acres from the Court of Wards (Harrai Jagir). He paid up the two years rent owed by the former Gond tenant. Nanhu Bania of Harrai similarly purchased 34.04 acres from the Court of Wards. The village was then mortgaged with possession with the Harrai Estate. The former tenants of these holdings were Gonds.

(d) *Harrai, Patwari Circle 46*—This important and flourishing village is the headquarters of the Harrai Jagirdar who also owns the Pagara Jagir and is the wealthiest, best educated and most capable of the Chhindwara jagirdars. The area available for cultivation in the village is very small and, therefore, there has been no exchange of land here, but many Hindus, mostly Sunar and Teli, have settled at Harrai and gradually acquired land for cultivation in neighbouring villages such as Anjanpur, Umri Kalan and Rabra Khurd at the expense of aboriginals and aided by their moneylending operations. Unfortunately the period of Court of Wards management seems to have encouraged such settlers.

78 *Pagara and Pachmarhi Jagirs*—Enquiries were made at Pagara and Tamia in the former and Delakhari in the Pachmarhi Jagir. All the villages have a number of non-aboriginal tenants.

and residents of such long standing that neither records nor village traditions can state how they acquired their land. No cases could be found in which aboriginal tenants had been made to exchange good land for bad. Two cases were found at Pagara village where Gond tenants had lost occupancy land. In both cases however the Jagirdar himself had settled their debts and retained the land instead of letting it go to their Hindu creditors. Muratshah Gond had owed Rs. 400 to some Banias at Pagara. One of them offered to buy one of Muratshah's fields for this sum and settle the debt. This field was 4.5 acres and nearly half the entire holding. The Jagirdar of Harrai intervened, had this khasra number surrendered to himself for Rs. 200, and personally settled the creditors' account by paying Rs. 204 to the Banias. He similarly settled a debt of Rs. 800 due to two of the same Banias and two others from Bandhansha Gond by taking and surrendering to himself two out of the seven fields of Bandhansha for Rs. 400 and persuading the creditors to accept Rs. 400 in settlement of their claim. The only instances found of the Jagirdars ejecting their aboriginal tenants for non-payment of rents and settling their lands with non-aboriginals were at Delakhari in Pachmarhi Jagir which is under the management of the Court of Wards. Some six ejectments at the instance of Court of Wards took place in 1938-39. The holdings were then publicly auctioned at Delakhari. In nearly all the lands were purchased by local Brahmans. The original Gond tenants have not been able to pay their rents because of a series of poor crops culminating in general suspension of rents in 1939. Delakhari was the only place where ejectments and auctions occurred, being one of the few islands of non-aboriginals in an aboriginal stronghold; it is one of the few places where such auctions could have succeeded. The Court of Wards claimed that it had to make an example at Delakhari as the villagers there were notorious for not paying rent.

Wardha District

79. This district is not commonly thought of as having any considerable aboriginal element in its population though in 1941 it had 50,530 or 97 persons in every 1,000 compared with 56,566 or 110 per mille in 1931. The principal elements in the 1931 total were Gond (43,195), Pardhan (8,511), Kolam (2,093) and Halba (1,227). Nearly 700 Korku also were returned. There has been a moderate but fairly steady increase in the strength of these tribes since 1891. Their economic and cultural condition is similar to that of the Gond in the adjacent Katol and Nagpur tahsils. In 1931 out of the 51,706 Gond and Pardhan 48,718 still spoke Gondi as their mother tongue but 42,417 could also speak Marathi, and fear of ridicule leads them to forego gradually their distinctive tribal dances and festivals while through steady loss of their tenancy land they are rapidly descending to the level of a low mental caste though the fact that this was once part of a Gond kingdom saves the Gond from being untouchable. In the settlement of 1891-91 there were 19,688 aboriginal tenants holding 46,215 acres with an average holding of 23.5 acres. In the settlement of 1903-12 the number of aboriginal tenants had risen to 20,200 but the area held by them had fallen to 35,759 acres and their average holding to 17.7 acres; in 1939-40 though the

number of aboriginal tenants had again risen to 2,312, the area held by them had again fallen to 28,674 acres, and their average holding to 12.3 acres. In 45 years they have thus lost 17,541 acres out of 46,215 or 37.8 per cent out of every 1,000. The process continues, for here this primitive remnant is no match for the land-hungry Hindu, he generally remains as the hired servant of the new tenant or the *malguzar* who has evicted him, tilling what was once his own land for another's benefit.

Nagpur District

80 Though the headquarters district of the province, Nagpur still had, in 1941, 58,720 aboriginals, or 55 per mille, a proportion that would be far higher if we excluded the urban population of Nagpur City and the towns of Kamptee, Katol and Umrer, there has been a fall of 3,634 in the total since 1931 and of 11 per mille in the proportion. Ramtek Tahsil with 18,751 had the highest number of aboriginals in 1931 and the highest proportion (139 per 1,000), but Nagpur Tahsil had almost the same number and if the urban population of Nagpur City and Kamptee were excluded, a considerably higher proportion. Gond (including a few Nagarchi and Ojha) numbered 53,193 in 1931, and Pardhan 6,309, and of these 59,502; as many as 52,139 spoke Gond as their mother tongue, 3,847 knowing also Hindi and 39,894 Marathi. The most typical Gond are found in the Deolapar tract of Ramtek Tahsil, and a few patwari circles of Saoner Tahsil, all bordering on Chhindwara District. The Gond of Nagpur, Katol and Umrer Tahsils, like their Wardha neighbours, are a culturally depressed lot, melancholy features of the Gond villages of the Kauras plateau in Nagpur Tahsil when I toured there in 1933 were the many Meghnath poles left to rot since the abandonment of Gond Phag celebrations, and the inability of the Gond youth to dance the Gond dances and sing the Gond songs, but this decay has not yet set in in the north of the district.

81 In the four tahsils of the district other than Ramtek aboriginal tenants have since the Craddock settlement of 1890-95 changed from 2,044 holding 42,300 acres to 2,482 holding 31,800 acres, a loss of 248 acres in every 1,000; in Ramtek Tahsil they have risen from 1,382 holding 17,400 acres to 2,027 holding 21,800 acres. If we could add the figures of *sir* and *khudkasht* land lost by dispossessed Gond *malguzars* before the Land Alienation Act was applied to the district, the Ramtek gain would be reduced and the loss in the other tahsils increased. The average aboriginal holding has fallen in Ramtek from 12.6 to 10.75 acres and elsewhere in the district from 20.7 to 12.8 acres. The figures were collected for five chief Gond tracts—

- (a) in patwari circles 32—35 and 39 in the north of Saoner Tahsil there was a fall of only 45 acres per mille in aboriginal holdings,
- (b) in the Ramtek-Parsoni area of Ramtek Tahsil, patwari circles 1—6 and 27—39, aboriginal holdings increased by 193 acres per mille,
- (c) in the Kauras-Kondhali area, between the Nagpur-Wardha and the Nagpur-Amraoti roads, patwari circles 43—56 of Nagpur Tahsil and 51—54 of Katol Tahsil, the decrease was 224 acres per mille.

- (d) in the area between the Nagpur Katol road and the Saoner Betul road, patwari circles 13—17 41 42 and 45 of Katol Tahsil and 1—9 and 27—29 of Saoner Tahsil the decrease was 398 acres per mille,
- (e) in the tract of Katol Tahsil between the Nagpur Amraoti road and the Katol plain patwari circles 33-34 36 38—40 43-44 and 46—50 the loss was 405 acres per mille

In area (d) there is a group of villages to the east of and close to Katol town in patwari circles 41 and 17 where more than half of the villagers are Gond but since the Craddock settlement aboriginal holdings have fallen from 1 525 acres to 738 (513 per mille) I visited these in 1933 and found that almost all the dispossessed Gond tenants were cultivating their former holdings for absentee Brahman and other Hindus living in Katol either as their servants sub-tenants or *bataidars*. A once sturdy peasantry had become virtual serfs and keenly felt its loss of status

Chanda District

82 This huge and unwieldy district is now since the transfer of Khariar Zamindari to Orissa has reduced the size of Raipur District the largest district in the province, with an area of 9,312 square miles. Of its 1941 population of 873,284 aboriginals numbered 170 126 or 195 per mille against 207 per mille in 1931. In Sironcha Tahsil the great Ahiri Zamindari and in Carchiroli Tahsil the Dhanora Dudmala Gewardha Jharapapra Khutgaon Kotgal Murumgaon Palaagarh Rangi Siraudi Sonari Chandala Gilgaon Pai Muranda and Potegaon Zamindaris are Partially Excluded Areas they occupy 4 013 square miles and had in 1941 a population of 115 031 of whom 70 821 or 607 per mille were aboriginals. In 1931 Gond Maria Gond and Pardhan numbered 151 401 out of the district aboriginal total of 157,386. Halba are the only other important tribe. Comparative figures are—

Tribes	1891	1901	1931
Gond	118 256	135 034*	95 358
Maria Gond	32 783	"	34 776
Pardhan	17 453	†	21 243
Halba	7 199	6 153	3 267

The apparent fall since 1901 in Gond and Maria combined and in Halba is due to the transfer in 1907 from Chanda to Drug District of the four Partially Excluded Zamindaris of Aundhi Koracha Panabaras and Ambagarh Chauki. Nearly all the Maria live in the Partially Excluded Areas.

83 To take first Ahiri Zamindari, in this huge estate the Maria is at home and little disturbed by alien intrusion. His worry is not loss of land but prohibition of his traditional shifting or *podu* cultivation. The figures show a steady increase of area occupied by all tenants from 33 141 acres occupied by 4 010

*Maria were included in Gond in 1901 and not separately enumerated

†Separate figures of Pardhan were not recorded in 1901

tenants at the summary settlement of 1895 to 39,850 acres occupied by 4,871 tenants in the 1922-24 settlement and 54,666 acres occupied by 8,050 tenants in 1939-40. This does not include the figures of the 16 or so zamindari villages of this estate now in Garchiroli Tahsil. The table below is of interest.—

Ahiri Zamindari (Sironcha Tahsil)

Year	Aboriginals		Others	
	Tenants	Acres held	Tenants	Acres held
(1)	(2)	(3)	(4)	(5)
1895	2,700	5,832	1,310	7,308
1920-22	3,532	32,187	1,439	7,673
1939-40	6,033	43,830	2,017	10,636

The non-aboriginal has begun to come in, especially since the last settlement. In the adjacent *khalsa* malguzari villages of Sironcha Tahsil he is ousting the aboriginal, is he beginning to do so in this Gond zamindari? Only perhaps in the riverain (Pranhita bank) patwari circles of Ahiri itself (no 13) and Dewalmari (no 14). In the former since 1920-22 aboriginal ryots have lost 323 out of 1,699 acres while non-aboriginals have increased their holdings from 725 acres to 2,478, in the latter aboriginal holdings have increased from 1,244 to 1,977 acres (+733) and non-aboriginal from 913 to 1,443 (+530). Having seen also on the Hyderabad bank of the river how Hindu settlers gradually secure for themselves the best riverside lands, I would emphasize that these riverside villages of Ahiri need watching.

84 In the other Partially Excluded Areas, the Garchiroli zamindaris, the figures corresponding to those in the table above for Ahiri are—

Year	Aboriginals		Others	
	Tenants	Acres held	Tenants	Acres held
(1)	(2)	(3)	(4)	(5)
1895	2,501	28,741	1,975	15,978
1920-22	4,828	61,916	2,603	29,490
1939-40	6,523	76,113	4,012	46,863

The aboriginals still have miles and miles available for expanding their cultivation, but yet hanker after their former *podu* cultivation and take far more slowly to regular cultivation than outsiders, in the 18 or 19 years since last settlement aboriginal cultivation has increased by only 23 per cent, while non-aboriginal has gone up by 59 per cent. The process is very marked in parts of the eastern zamindaris, Sirsundi Zamindari (patwari circle 38), Kotgal (patwari circle 49), Murumgaon (patwari circles 50 and 51) and Jharapapra (patwari circles 52 and 53)—

Increase of cultivation, 1920-22—1939-40

Zamindari	Aboriginals		Others	
	Tenants	Acres	Tenants	Acres
(1)	(2)	(3)	(4)	(5)
Sirsundi	+78	+744	+179	+1,308
Jharapapra	+71	+660	+281	+1,999
Murumgaon	+164	+2,456	+461	+5,718
Kotgal	+45	+451	+52	+539

In these six patwari circles 19 years ago non aboriginal tenants numbered only 1 026 out of 2 163 or 48 per cent and held only 12 641 out of 28 464 acres of tenancy land or 44 per cent. In 1939-40 they numbered 1 989 out of 3 322 or 59 per cent and held 23 110 out of 41 019 acres of tenancy land or 56 per cent. The intrusive element almost everywhere is Marar. These hardy cultivators push into the zamindaris along the banks of perennial streams whence they irrigate their fields. Pendri, the largest village in Jharapapra Zamindari is now mainly a Marar village out of its 451 people only some 40 are Maria though Halba are more numerous. I have before (paragraph 69, *The Aboriginal Problem in the Balaghat district*) mentioned the debt owed by aboriginals all over the province to Marar pioneers of cultivation. I have met them in remote parts of Balaghat Chanda Drug and Raipur in the course of this enquiry and I repeat that if a real effort is to be made to improve aboriginal agriculture use should be of Marar cultivators or colonies as demonstrators. Their intrusion, therefore into these Maria fastnesses is not necessarily a bad thing *provided* that it is controlled. In Jharapapra their immigration has been facilitated by the migration of local Maria over the border into Bastar State where as they point out they are free to do *podu* cultivation.

85 Coming to the *khalsa* areas of Chanda district Sironcha Tahsil is the only tahsil where the aboriginal tenancy area has fallen since 1895. The area is small. It rose from 4 000 acres held by 802 aboriginals in 1895 to 4 314 acres held by only 654 in 1920-22 and by 1939-40 had fallen to 3,843 acres held by 669 aboriginals. But in these same 71 malguzari villages the area held by non aboriginals has risen from 12 609 held by 2 832 tenants in 1895 to 15 603 acres held by 3 197 tenants in 1939-40. Aboriginals have gained more than the ground lost in malguzari villages in the 60 ryotwari villages of the tahsil, where their holdings have gone up from 1,846 acres held by 302 ryots in 1895 to 3,377 held by 416 ryots in 1939-40 but this means poor ryotwari land in lieu of good tenancy land lost to Telugu cultivators.

86 In the malguzari villages of the other four tahsils there has been since 1895 a substantial rise in the holdings of aboriginals from 33,898 acres held by 4 446 tenants to 91,827 acres held by 9 553 tenants even the average holding having increased. In the 316 ryotwari villages of these tahsils aboriginal ryots are only a small minority (2 032 out of 10,444) but their number has increased since 1895 from 504 to 2 032 and their holdings from 8 170 to 28,853 acres. Though there is this marked increase since the settlement of 1897 1906, in Chanda Tahsil much tenancy land has been lost since the 1920-24 settlement (9,579 out of 28 661 acres or 334 acres per mille) and the number of aboriginal tenants has fallen from 2 673 to 2 237. Their area has also fallen though not on this scale in Brahmapuri Tahsil (from 7 989 to 7,540 acres). The following note of a detailed investigation in selected villages of the reason for transfer of land from aboriginals to Hindus and Muslims in the Chanda district was recorded by Mr J D Kera wala Extra Assistant Commissioner and Sub-divisional Officer Chanda and Sironcha in May 1941. The enquiry was made in patwari circles 9 11 12 of Chanda Tahsil not far from Chanda itself. The villages are mostly Gond. Some of these villages

contain excellent soil; and owing to their proximity to the tracts where Hindus form the majority of the population, it was believed that enquiry here would throw light on the need for protecting Gond tenants by land alienation legislation.

"1 I propose to deal with the results of the enquiry under the following heads I—Actual cases of expropriation and causes II—Acquisition of land by aborigines III.—General comparisons The enquiry is confined to the period of the current settlement

"2 *Actual cases of expropriation and causes:—*

Pat-wari circle no	Name of village	Total number of holdings lost during the period of settlement (aboriginal holdings)	Total area of the holdings	Total rents of the holdings	Causes	Details of castes who have since taken up the holdings
(1)	(2)	(3)	(4)	(5) Rs. a p	(6)	(7)
9	Chichpalli	5	45 19	34 0 0	All by surrender due to rent falling into arrears	1 holding with Krishnapa shi 1 holding with Brahmin 1 holding with Vidur 2 holdings are recorded "grass".
	Jambrala	..	1 79	3 11 3	Do	Brahmin
	Sari	..	4 64	7 0 0	Do.	All recorded "grass".
	Nimbala	..	11 47	8 4 0	Do.	1 holding with Brahmin 1 holding recorded "grass"
	Pipalkhut	..	14 38	7 12 0	Do	Recorded "grass"
	Borda	4	5 79	13 11 6	Do	2 holdings with Mahars 2 holdings with Pardesis
	Lohara	1	2 77	4 8 0	Do	With Kalar
	Kinh	1	0 12	.	Do	With Brahmin.
	Vaigaon	4	11 46	11 0 0	Do	2 holdings with Brahmins 1 holding with Mahar 1 holding with "grass".
	Chak Nimbala	6	52 67	16 8 0	Do	2 with Kunbis, 1 with Koshti 2 declared qabil-kasht
	Chak Borda	4	76 9	20 4 0	Do.	.. 2 with Brahmins 1 with Mahar 1 with Pardesi
	Chak Valni	2	18 49	5 12 0	Do	.. 2 with Brahmins
	Chak Vaigaoon No 1.	2	15 70	5 12 0	Do.	.. 1 with Mahar 1 declared qabil-kasht.

Pat wari circle no	Name of village	Total number of holdings lost during the period of settlement (aboriginal holdings)	Total area of the hold ings	Total rents of the hold ings	Causes	Details of castes who have since taken up the holdings
(1)	(2)	(3)	(4)	(5)	(6)	(7)
11	Katri Makka	2	2 87	Ra. a. p. 5 0 0	All by surren der due to rent falling into arrears	Brahmin
	Katri Tukum	1	4 07	11 0 0	Do.	With Kunbi and Mahar
	Nimgaon Makka	1	4 77	6 8 0	Do.	With Mahar
	Manora	5	11 46	14 1 6	Do.	3 with Sare Tella 1 with Mahar 1 grass.
	Gilbila	8	53 38	62 12 0	Surrender due to pressure of rent.	3 are now malguzar's <i>khudkashit</i> . 2 with Kunbis. 3 grass.
	Muhadi Tukum	3	7 46	26 8 0	Do.	Malguzar's <i>khudkashit</i> .
	Palasgaon	1	0 09	0 4 0	Acquired	District Council.
	Etolli Chak No. 1	1	1 83	0 11 0	Surrendered for arrears of rent.	<i>Qabilkashit</i> .
12	Kayadji	14	69 58	43 4 0	Do.	2 with Mahars. 4 malguzar's <i>khudkashit</i> . 5 grass. 2 with Marwari. 1 with Tella.
	Kalmara	1	0 46		Do.	Grass.
	Kutoli	1	0 22		Do.	With Muslim
	Gogapur	2	16 77	9 4 0	Do.	Grass.
	Radham Turdi	1	12 00	3 0 0	Do.	Grass.
	All	1	8 77	4 8 0	Do.	With Marwari.

Abstract

- 1 Total number of villages in the 3 patwari circles—39
- 2 Total number of aboriginals who have lost land—81
- 3 Total area lost by them—

	Acres
(a) Malguzari	300
(b) Ryotwari	164

 464

- 4 Total rent of the land lost—

	Ra.
a) Malguzari	280
(b) Ryotwari	48

 Total 328

3 Examining some individual cases of the loss of land I found that all the entries in the records to the effect that the land was lost for rent arrears alone were not quite accurate. Some of them were due to surrender and transfer on account of old debt. Most however of the surrenders are in fact on account of arrears of rent. It is interesting to note that most of the surrendered land has gone from the aboriginals to Brahmins though Kunbis Mahars and Marwaris have had their share. No aboriginal has been given any part of the surrendered land.

"4. From the tenants of Palasgaon I heard a bad tale of the widow of one Sitaram, son of Rama Gond. Her husband owed Rs 62 arrears of rent. He was very ill and the malguzar informed him that if he paid him even half the amount he would not take action against him. The tenant believing him arranged to pay him Rs 33. The malguzar took the money, but nevertheless had him ejected. He died and the widow is now destitute, but the malguzar flatly refuses even to refund the Rs 33.

At Kavadi a case of ejectment of an aboriginal from a field of excellent soil was noticed. Tenu son of Lachma Pardhan could not pay his rent and the earliest opportunity was taken to get the land from him.

Gulsia Pardhan of Manora had seven children and a wife to support. He could not pay his rent but kept the malguzar quiet by working for him at times and paying a little occasionally. As soon as he died his widow and children were ejected. At the same village Zungria Rajgond held paddy land of 2½ *khandis*' seed capacity and another field of 7 acres. He surrendered them as the malguzar threatened him that he would be dragged to court if he did not do so as he could not pay the rent. The paddy land was very good.

"5. I tried to discover the true nature of the transactions by which some of the valuable land has passed to Brahmins and Marwaris. Exact information could not be obtained in the limited time, particularly as they tried to hide the true nature of the transactions, but I find that some good land at least has passed to these people in debt transactions.

"6. *Acquisition of land by the aboriginals during the period of settlement*—My enquiry on this subject has given interesting results.

Num- ber of patwari circle	Total area acquir- ed by aboriginals during period of settlement	Total rent or revenue of the area	
	Acres	Rs	
9	{ 262	205	In malguzari villages
	{ 1,305	590	In ryotwari villages
11	{ 108	59	In malguzari villages
	{ 76	34	In ryotwari villages
12	292	213	In malguzari villages

Comparative tables of land acquired and lost by aboriginals since settlement

	Area lost	Area acquired	Rent of area lost	Rent of area acquired
	Acres	Acres	Rs	Rs
Malguzari villages	300	662	280	477
Ryotwari villages	164	1,381	48	624

"7. Ryotwari allotments if confined to aboriginal settlers will keep the position of the aboriginals secure in this tract. This rule is, however, not strictly observed, as I find that recent allotments of fine land have been made by the auction system to many outside Kunbis and others who are able to pay much more than an average aboriginal. If the new tendency to such colonization of the beautiful Chichpalli tract is effectively checked it will save the aboriginals who have so far been in peaceful possession of their own *bhum* with little interference from outside. The figures in the table above show that the position of the aboriginals has on the whole

"B —The following table gives general comparative information for all the villages of patwari circles nos 9 11 and 12 —

Pat wari circle no.	Name of village	Total area	Occupied area at settlement	Occupied area at present	Total number of tenants at settlement	Total number of tenants at present
(1)	(2)	(3)	(4)	(5)	(6)	(7)
<i>Malguwari</i>						
		Acres	Acres	Acres		
9	Chichpalli	1 865	320	411	58	66
	Jambaraha	179	97	110	21	26
	Sari	134	50	46	13	12
	Temta	67	41	51	9	13
	Nimbala	482	265	237	42	44
	Pipalkhut	189	122	122	20	22
	Borda	258	123	228	45	55
	Mamla	697	185	269	33	37
	Lohara	330	95	147	23	3
	Walni	929	172	230	33	45
	W lgaon	254	86	147	18	27
	Haldi	199	80	85	18	22
<i>Ryotwari</i>						
	Chak Chichpalli	1 328		360		37
	Chak Imbala	1 901	540	810	41	73
	Chak Pipalkhut	419		156		16
	Chak Korda	2 310	554	716	37	63
	Chak Walni	160	81	71	10	9
	Chak Vagaoon No 1	497	162	221	19	20
	Chak Vagaoon No 2	265		16		16
11	Koti Makta	1 393	679	733	50	60
	Koti Tukum	272	114	149	25	26
	Nimgata Makta	262	256	258	45	54
	Manora	886	538	561	114	119
	Gilbilli	1 930	214	2 3	29	28
	Mahadi Tukum	250	134	146	27	27
	Kinhi	2 548	1 106	1,207	64	78
	Palagaoon	2,288	1 728	1 780	110	134
	Itoli chak I	542	279	378	24	41
	Nimgata chak	620	261	274	21	24
	Itoli chak II	363		114		25
12	Ashli (12)	1 773	340	396	13	25
	Amdl (61)	1 596	1,268	1,270	64	78
	Kavadi (2 6)	3 823	832	1 238	90	155
	Kalmans (109)	1 310	740	737	53	64
	Kato l (57)	1,391	384	593	39	57
	Kathari (154) (market)	3 062	1 979	1 925	123	137
<i>Uninhabited</i>						
	Khainturli	201	57	126	4	9
	Jogapur	697	215	226	20	20
	Harang	1 993	179	194	10	13

Pat- war circle no	Name of village	Abori- ginal tenants at settle- ment	Abori- ginal tenants at pre- sent	Total demand		Demand from aboriginals		Area held by aboriginals	
				At set- tlement	At pre- sent	At settle- ment	At pre- sent	At settle- ment	At pre- sent
(1)	(2)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
<i>Malguzari</i>									
				Rs	Rs	Rs	Rs	Acres	Acres
9	Chichpalli	21	19	424	423	82	116	103	118
	Jambarala	20	22	140	122	94	102	69	85
	Sari	9	9	52	40	38	27	34	31
	Temta	9	13	34	42	33	31	40	43
	Nimbala	17	20	217	103	54	48	78	68
	Pipalkhut	19	20	76	66	73	63	117	106
	Borda	17	24	257	217	94	84	98	99
	Mamla	7	8	140	206	31	60	28	46
	Lohara	14	18	60	83	30	38	-6	78
	Walni	27	38	147	109	66	64	117	175
	Waigaon	16	22	107	155	83	129	69	110
	Haldi	15	19	64	95	40	50	49	55
<i>Ryotwari</i>									
	Chak Chichpali	.	31		338		300		587
	Chak Nimbala	15	30	186	402	46	125	141	272
	Chak Pipalkhut		16		96	.	96		166
	Chak Korda	14	29	148	196	56	93	207	346
	Chak Walni	10	7	24	30	24	19	80	62
	Chak Waigaon No 1	16	15	60	83	49	48	132	128
	Chak Waigaon No 2	..	14		44		35		141
11	Koti Makta	9	11	533	540	47	40	57	62
	Koti Tukum	9	11	161	148	47	35	42	40
	Nimgata Makta	9	10	258	255	25	21	42	44
	Manora	18	17	638	581	59	45	70	61
	Gilbili	25	26	182	154	153	112	176	136
	Mahadi Tukum	17	18	207	194	124	110	70	74
	Kinhi	25	28	417	454	143	156	341	381
	Palasgaon	12	16	809	818	32	36	76	90
	Itoli chak I	5	11	71	112	16	32	57	104
	Nimgata chak	1	2	103	115	4	12	11	22
	Itoli chak II		3		101		10		16
12	Ashti (12)	2	3	164	210	13	14	20	21
	Arndi (61)	3	5	748	728	12	13	21	30
	Kavadji (276)	31	37	501	796	137	252	238	353
	Kalmana (109)	1		509	642				
	Katoli (57)	4	7	228	320	30	26	6	48
	Kathari (154) (market)	1	1	2,447	2,368	1	1	1	1
<i>Unnhabited</i>									
	Khamturlu	1	3	25	62	3	24	12	36
	Jogapur	2		123	124	9		17	
	Haranpali	2	2	74	74		8	21	21

The table gives some very interesting information. In village Borda (patwari circle no 9) the rent from aboriginals has decreased while the area has increased. Enquiries showed that a Gond lost an excellent field of 5.79 acres with rent of Rs. 13-11-6 while another aboriginal got inferior land of about one third the rental value but larger in area. At Muhadi Tukum (patwari circle no 11) a Gond lost 7.46 acres of fine land rental Rs. 26-8-0 which passed to a Brahmin while another Gond got 12.12 acres of land rented at Rs. 12-13-0. At Nimghata Mata Gond lost a field of 4.77 acres, rental Rs. 7-7-0 while another Gond got a bigger field of 6.64 acres rented only at Rs. 2.

9 The figures of patwari circle no 12 need careful study. If these figures are studied along with those obtained by the Deputy Commissioner in his general enquiry when the records of previous settlements were also consulted they will show how aboriginals have been simply wiped out as it were from tenancy land. I have given the aboriginal population in brackets after the names of these villages in column 2 of the table. A comparison of these population figures with the numbers of aboriginal tenants in columns 8 and 9 is instructive. It is to be remembered that patwari circle no 12 has many moneylenders. This Kothari is a market town with a police station and is about 10 miles from Ballarshah on the Allapalli road. The worst complaints about harassment by moneylenders were made to me by the Gonds from this circle. The table given in paragraph 2 of this report will show how in spite of the extremely limited number of aboriginal tenants their land has passed to a Save Teli, two Marwaris and the local malguzar in this circle no 12 within a period of about 20 years.

10 On the basis of this enquiry and my enquiry about farm service I am of opinion that while legislation for prohibiting bond service is not really necessary in these tracts it is of importance to tackle the question of transfer of tenancy land without further delay. The new Tenancy (Amendment) Act may not apply to a Partially Excluded Area like the Ahiri Zamindari but it applies to these Gond tracts of the Chanda tahsil, and we should not be surprised if the aboriginals lost all their land in these tracts within a generation or so. It is true that the Gonds here are more civilised or less backward than the Maria Gonds in the Excluded Area of Sironcha but like all aboriginals they too get into debt for merry making marriages etc. It is not desirable to exclude the tract itself from the operation of the Tenancy (Amendment) Act because there are many non-aboriginal tenants also. It would be safer to amend the Land Alienation Act so as to make it applicable to aboriginal tenancy lands also and to apply it to suitable tracts.

Bhandara District

87 Of the 1941 population of 963,225 aboriginal numbered 111,461 a slight rise since 1931 their proportion of the total



FIG 4 Baiga Dancer, Baihar Tahsil



FIG 5 Maria Girls, Lahiri, Ahiri Zamindari

population has however fallen from 134 to 116 per mille Comparative figures are —

Tribe	1891	1911	1931
Gond	88,768	75,871	79,238*
Pardhan	4,155	2,815	2,874
Nagarchi	1,682	1,136	1,353
Halba	18,425	9,837	19,233
Bijnhar .. ..	..	5,413	3,737
Kawar	625	940	1,382
Kol	17	840	1,775

Of the first three, which make up the Gond element, the population has fallen from 94,091 to 83,465 in 40 years. But there was a considerable area transferred to Balaghat District early in the present century. In 1931 aborigines were more numerous in the Sakoli Tahsil, where they were 184 per mille of the population, in Gondia Tahsil they were 140 per mille and in Bhandara Tahsil only 79 per mille. Gondi-speakers numbered 60,078, of whom about 46,500 could also speak Marathi and about 1,750 Hindi. The figures in tables I to IV exclude the Tirora circle of Gondia Tahsil and the Sakoli circle of Sakoli Tahsil, and cover 803½ malguzari, 438½ zamindari and 13 ryotwari villages.

88 In the malguzari and zamindari villages examined, aboriginal holdings have increased from 76,300 acres held by 6,306 tenants in the 1894-99 settlement to 77,400 acres held by 7,904 tenants in 1939-40, the average holding falling from 12.1 to 9.8 acres, the average holding of other tenants has fallen in the same period from 10.7 to 9.1 acres. But there has been a marked loss of land in the 530 villages of Bhandara Tahsil and the 60 *khalsa* villages of Gondia Tahsil examined, from 21,884 acres held by 1,988 aboriginal tenants to 17,067 acres held by 2,113, a loss of 221 acres out of every thousand, while the average holding has fallen from 11 to 8 acres. Expropriation has been actually greater in the zamindari areas than the figures show, owing to transfers of proprietary rights in parts of them before the Land Alienation Act was applied in Gondia and Sakoli Tahsils to Gond, Raj-Gond and Pardhan in 1918 and in Sakoli to Halba in 1930. In the 245 zamindari villages of Gondia Tahsil aboriginal tenancy holding have since 1894-99 fallen from 24,142 acres held by 1,811 tenants to 20,891 held by 2,166 tenants in 1939-40, a loss of 135 acres per mille, though the total tenancy area has risen from 147,963 acres held by 14,587 tenants to 168,751 held by 26,169. In the Sakoli tahsil zamindari villages there has been an increase of 33 per cent in aboriginal holdings. There is a clear case for protection in most of this district.

*Includes 276 Muria and 673 Ojha

Balaghat District

89 In 1941 the total population of the district was 634,350 and of these 137,142 were aboriginals. The aboriginals constitute 216 per million of the population (against 134 in 1931). Baihar Tahsil is a Partially Excluded Area. There the aboriginal population (1941) is 63,591 out of the total population of 112,607 or 565 per million. Comparative figures of the important communities are —

Community	1891	1911	1931
Gond	87,758	79,158	102,437
Pardhan	5,172	4,843	4,264
Nagarchi	2,044	1,579	1,621
Bhujwar	3,449	6,005	8,259
Baiga	3,863	5,070	5,640
Halba	1,433	1,298	1,553

Sixty nine per cent of the Gond spoke Gondi in 1931, but only about a quarter of these were in Baihar Tahsil where 73 per cent of the local Gond have lost their language.

90 In regard to alienation of aboriginal tenancy and ryotwari land I have analysed the position in paragraphs 135-40 of *The Aboriginal Problem in the Balaghat District*. I reproduce below paragraphs 139-40—

139 Viewing Baihar as a whole the statistics as yet show no ground for apprehension. The total increase in tenants and ryots of aboriginal tribes has been from 1,737 holding 22,313 acres for Rs. 7,090 at the second settlement to 5,951 holding 87,129 acres for Rs. 30,136 at last settlement and 9,281 holding 112,120 acres for Rs. 40,036 in 1939-40 the corresponding figures for all castes and communities are—

Period	Tenants and ryots	Area	Rent
	No	Acres	Rs.
Second Settlement	4,199	45,989	15,224
Third Settlement	12,008	160,877	63,283
1939-40	15,242	191,351	76,867

Against a total increase since last settlement of 3,234 tenants and 30,474 acres aboriginal tenants have increased by 3,330 and their holdings by 24,991 acres. The colonisation scheme for which Balaghat District was created has succeeded and that not at the cost but to the great advantage of the aboriginal. Yet from now onwards with improved roads and motor transport Baihar is no longer isolated, and its contacts with the outer world must bring in the land hungry and the exploiter. Here too I consider therefore that the aboriginal needs protection from alienation of tenancy and ryotwari lands. Protection of proprietary lands came too late to save the Bhanpur estate and most of Chauria and many malguzari villages. Let us not be too late to save tenancy lands. It is fortunate that so much of the tahsil is ryotwari.

'140 In Waraseoni Tahsil the story is different, as might be expected in an area where the aboriginal is exposed to the full blast of competition in the struggle for life. The figures, including the few ryotwari holdings, are—

Period	Number of tenants	All castes		Number of tenants	Aboriginals	
		Area in acres	Rent Rs.		Area in acres	Rent Rs.
Second Settlement	25,327	207,600	2,31,259	3,721	30,624	23,997
Third Settlement	33,464	224,272	3,25,007	1,937	30,495	31,770
1939-40	41,816	231,001	3,31,981	5,248	28,797	29,696

In 45 years aboriginal tenants have thus increased in number by 1,524 but have lost 1,827 acres, and the average holding has fallen from 8.22 acres to 5½. The process has not been so marked in Balaghat Tahsil—

Period	All castes			Aboriginals		
	Number of tenants	Area in acres	Rent Rs.	Number of tenants	Area in acres	Rent Rs.
Second Settlement	16,738	153,395	1,52,165	1,980	19,365	11,823
Third Settlement	28,932	169,417	2,26,411	3,591	23,151	17,470
1939-40	33,843	174,621	2,38,956	4,052	22,159	18,893

Nearly 1,000 acres or 4.3 per cent of the aboriginals' holdings has gone in the last 25 years, and their average holding has fallen from 6½ to 5½ acres. In the zamindari areas they have lost 1,298 out of 6,375 acres since last settlement. In both tahsils there are several villages where the loss has been serious, and these figures do not show how far also good land has been lost in exchange for bad, or the similar loss of land by the menial or semi-aboriginal tribes living in the aboriginal villages. Further expropriation should be stopped by a land alienation law."

It should be added that these rental statistics do not indicate substitution of bad land for good since the last settlement.

Raipur District

91 In 1941 aboriginals numbered 358,578 out of a total population of 1,525,686 or 197 per thousand, a drop of 58,176 or 38 per thousand since 1931, in the interval, however, the large Khariar zamindari has been transferred to the new province of Orissa. As in most of the province, Gond and smaller tribes of Gond culture constitute the majority. The table below compares the strength of the chief aboriginal tribes in 1911 and 1931. I have omitted the 1891 figures, because when in 1906 the Drug district was formed large parts of two tahsils of Raipur District were transferred to it, this was a main cause of falls in the 1911

census of some 38 000 under Gond and 32 000 under Halba the other communities were not affected and have all increased in number since 1891—

Tribes	1911	1931
Gond*	212 679	240 908
Kawar	27 817	31 973
Binjhwar	24 358	29,223
Sawara	21 702	28 701
Kamar	7 185	9 244
Bhumja	6 913	7,258
Halba	4 499	6 068
Orason	1 443	1 472

The Gond are much hinduized and all but 2 610 had in 1931 forgotten the Gondi language. The Kamar most of whom are in the very backward Bindra Nawagarh Zamindari, still practise shifting cultivation with variations peculiar in this province to themselves. Kawar are the leading aboriginal landowning tribe of Chhattisgarh. Binjhwar are probably a section of the great Baiga tribe that has become sophisticated by living in the plains with Hindu castes all around them.

92 Expropriation figures were collected only for patwari circles nos 74 76 108, 114 118 and 131 of Raipur Tahsil (all in the south of the tahsil), for the whole of the Sihawa and Dargahan circles patwari circles nos 66—75 of Panduka Circle and patwari circles nos 33 36 37 41 and 42 of Bothli Circle of Dhamtari Tahsil and the whole of Mahasamund Tahsil. As might be expected in the wild Mahasamund zamindari where cultivation is still if now slowly expanding and ample land is available aboriginals are not losing but gaining ground except in Fingeshwar Zamindari, in the other zamindari since the 1899—1903 (Phulhar, 1912) settlement the number of aboriginal tenants had by 1939-40 risen from 8 594 holding 146,800 acres to 12 938 holding 195,400 acres the average holding however, falling from 16.9 to 15.1 acres. In Fingeshwar aboriginal holdings fell from 9 100 acres held by 677 tenants to 7,500 held by 858 and the average aboriginal holding from 13.4 to 8.7 acres. In all six zamindari the proportion of aboriginal to other tenants is steadily falling. At the last settlement but one aboriginals numbered 42 out of every 100 and held 42 out of every 100 acres in 1939-40 they numbered only 33 out of every 100 tenants and held only 36 out of every 100 acres. Ultimately therefore even here the aboriginal tenant will need protection unless the Land Alienation Act is strictly applied and in these aboriginal-owned estates the Deputy Commissioner's sanction is required for all new finances created in favour of non aboriginals.

93 In these *khalsa* villages of Raipur and Mahasamund Tahsils aboriginal tenants have changed since the penultimate settlement from 2 229 holding 31 400 acres to 3,218 holding 28,000 acres a loss of 108 acres in every thousand the average holding falling from 14.1 to 8.7 acres. In the *malguzari* villages examined in Dhamtari Tahsil there has been a total loss of only 300 acres in this period but as the number of aboriginal tenants has risen from 3 956 to 6 413 the average holding has fallen from 13.8 to

*Includes also Parlihan (9-4) Mianra (363) Ojha (262) and Nagarehi (14) the bracketed figures give the 1931 totals of these tribes

89 acres Non-aboriginals have increased their total holdings from 68,522 to 90,644 acres, but as their numbers have risen from 7,019 to 12,979, their average holding has fallen from 98 to 7 acres

94 The figures of individual circles and villages are not forthcoming, and detailed examination of areas is not therefore practicable But the following quotation from the interesting report of Mr K B Lall, I C S, and Mr R C V P Noronha, I C S, on the Mahasamund zamindaris shows something of the current practice —

“*Alienation and transfers* — Land changing hand through debt is rare Sales continually occur, but they are *bona fide* sales for the most part and the moneylender does not get the land He does not want it, it is inaccessible, it is more profitable to take the debtor's crops and cattle every year. We are not sure how much of the sale-proceeds goes to him, from our enquiries, however, it would appear that the selling habit is persistent in all the estates The rate of turnover of land is high except in Deori Estate, tenants selling as they need cash and buying as they acquire surplus funds Section 12 of the unamended Tenancy Act has failed to discourage transfers, it only enables the proprietor to claim a disproportionate share of the real sale price The Court of Wards, following a set procedure, invariably recognizes transfers *ex post facto* and charges *nazarana* at the rate of 30 to 33 per cent of the value of the transferred holding, as estimated by the Manager and not as stated (usually falsely) by the vendee

We are quite definite that the aboriginal is not losing his land to the moneylender, but he is, in some degree, to the non-aboriginal cultivator In Deori Estate Gonds and Binjhwaras are transferring to Agharias, in Phuljhar Gonds and Sawaras are losing to Koltas and Agharias All over the zamindari areas men having supplementary sources of income, such as Koshtas, Rawats, Kalars, Telis, retired schoolmasters and Court of Wards employees, are buying up aboriginal land Wherever the lease of a village has been given by the Estate to an Agharia or a Kolta *thekadar*, the home-farm area steadily mounts up at the expense of the aboriginal tenant Our enquiries, however, show that the dispossession has been taking place very slowly

The extent of the turnover of land can be easily gauged from the figures which we give below —

Estate	Nazaranas	Value of land (Nazaranas + sale-price)	Gross rental
		Rs	Rs
Bindra-Nawagarh	8,726	34,904	64,189
Suarmar	3,584	14,336	21,346
Narra	712	2,448	3,392
Kauria	3,914	15,656	37,124
Phuljhar	4,106	16,124	88,288
Deori	575	2,300	6,353

Calculating an average *nazarana* rate of one-third of the sale-price we have entered in column 3 the resultant value of the land transferred. The figures are for 1939-40. Column 2 does not include hundreds of acres of land which change hands in the very numerous *thekadari* villages or a few transfers which the Court of Wards failed to detect.

We have already stated that the moneylender is not directly responsible for most of the transfers. Mr. Lall, basing his opinion on his experiences while touring and on an intensive economic enquiry conducted at Jhallap (Kauria Estate) considers that dispossession is due to four primary causes —

- (a) *Rental arrears* — The moneylender is first on the spot at harvesting, and what is left after he has gone may not suffice for rent and food. Arrears mount up. No eviction takes place but the cultivator when pressed for payment sells part of his land. This applies chiefly to substantial tenants holding 20 acres or more.
- (b) *Loss of live stock from disease or wild animals* — The bullocks or buffaloes that survive may not suffice to earn the rent and food of the tenant. He cannot afford to buy new cattle and so prefers to sell part of his holding so that with his surviving cattle he may be able to cultivate the rest of the holding efficiently.
- (c) *The improvidence and inefficiency of the small tenant* who suffers losses and after some years has to sell up.
- (d) *Debt* — The tenant alienates his land and with the proceeds repays the moneylender. (He usually, however, sells the land to another aboriginal and not to a non-aboriginal).

The table below gives statistics of a typical enquiry held at Jhallap —

Cause	Number	Remarks
<i>Alienation of whole holdings —</i>		
Rental arrears	3	All big tenants.
Improvident cultivation	2	Small tenants
<i>Sale of parts of holdings —</i>		
Rental arrears	4	Three big tenants
To raise money for ceremonies	2	One big tenant
Ancestral debts	3	
Personal debt	1	
Improvident cultivation	2	

Protection — We consider that some form of protection for aboriginal tenants is essential not because they are losing their land at an appreciable rate just now, but because they will lose it much faster as communications improve and

jungle plots become worth taking. The aboriginal here is himself averse from being protected, for the simple reason that he would lose his security and the moneylender would not lend even for such essential things as *khawai* (food) and seed. The Land Alienation Act as it stands is of no use to the zamindari tenants. *Malik maqbuza* holdings are non-existent, and other proprietary rights have been recognized to be inalienable. At present an average cultivator cannot do without at least short-term borrowing. We would emphasize that as long as the cultivator is dependent on the moneylender for his *khawai* he will not offend him in any way and will probably help him to evade all laws that may be made to save the cultivator from his clutches. On the other hand, if loans at reasonable rates are made available to him, the grasping moneylender will automatically be eliminated, and, what is more important, the peasant will not need to sell fractions of his holding to pay rent or buy cattle or even to raise money for his ceremonies. The provision of cheap credit facilities would by itself to a large extent arrest the process of dispossession.

Further, to prevent aboriginals from being ultimately driven out of cultivation altogether, it is in our view necessary to make all transfers by aboriginals to non-aboriginals conditional on the sanction of a responsible Revenue Officer, who may be empowered to act *suo motu* in case a holding is transferred without sanction."

I comment only that if Revenue Officers realised that in an area where the Land Alienation Act has been applied to aboriginals, then aboriginal proprietors would in law require the sanction of the Deputy Commissioner under section 4 of the Act to the grant of tenancy rights over any of their proprietary land to non-aboriginals. Unfortunately in Raipur District the Act has been extended only to the Mahasamund and Patewa circles of Mahasamund Tahsil and to the Sihawa circle and one other village of Dhamtari Tahsil, in the former tahsil to Gond and Kamar only and in the latter to Gond and Halba only, and that only in 1938. These Mahasamund circles contain *khalsa* villages only, it having been thought that there was no need to protect the zamindaris because the zamindaris are held on condition of inalienability. The fact that if a zamindari belonging to an aboriginal zamindar is notified under the Act he cannot legally recognize a new non-aboriginal as tenant without sanction under section 4 of the Act has been overlooked.

Bilaspur District

95 The 1941 population of this district was 1,549,509, the highest figure of all the districts of the province. Of this total 323,350 were aboriginals, or 209 out of every thousand. The 1931 total was 328,983 (giving a proportion of 235 per mille), but by the Government of India (Constitution of Orissa) Order, 1936 the 54 villages of the Chandrapur-Padampur estate and seven adjacent villages were transferred to the Sambalpur district of Orissa, this accounts probably for the slight fall in the aboriginal population. The district has a group of seven Partially Excluded Areas, the zamindaris of Pendra, Kenda Matin, Lapha, Uprora, Chhuri and Korba, which comprise 3,623 out of the approximate

7,500 square miles of the reduced district. These estates are all owned by aboriginal zamindars of the Tanwar sub-division of the Kavar tribe their 1941 population was 379 903 against 333 012 in 1931. Of the 1941 total 186,229 are aboriginals or 49 per cent. Pendra and Kenda are in Bilaspur Tahsil and had in 1931 a population of 119 771 of whom 68 218 or 57 per cent were aboriginals; the corresponding 1941 figures are 131 699 58 377 and 44.3 a surprising drop in the aboriginal strength and proportion if the new statistics are correct. The other five are in Katghora Tahsil, which apart from them has only three square miles of *khalsa* territory with 1 477 inhabitants in 1931. The population of these five estates has risen from 213 241 in 1931 of whom (including the small *khalsa* patch) 115 067 were aboriginals or 53.6 per cent to 248,204 in 1941 of whom 127,852 were aboriginals or 51.5 per cent.

96 Comparative figures of the chief aboriginal communities are given for 1911 and 1931 only, the pre-1911 figures are useless for comparison because of the changes in the territorial composition of the district before 1906 —

Tribe	1911	1931
Gond*	154 959	175,300
Kavar	53 944	69 786
Dhanwar	10 416	12,771
Binjhar	10 792	12,586
Bhains	13,222	15,231
Bharis Bhumia	6 641	9 326
Majhar	6 471	8 581
Orson	2 876	5 003
Kol	2,531	3 521
Baiga	157	2,404
Kharis	700	1 444
Bhainhar	1 650	1 221
Korwa	864	370
Sawara		9 535

97 The statistics for the *khalsa* and zamindari areas can best be considered separately because of the differences in the settlement dates. The penultimate settlement of the *khalsa* villages took place between 1886 and 1890 this was revised in 1929-31. The first regular settlement of the zamindaris was made in 1906-12 this was revised in 1928-30. The zamindaris fall into two groups the seven Satgarh zamindaris which are all Partially Excluded Areas and the three plains zamindaris of Champa in Janygir Tahsil and Pandaria and Kantali in Mungeli Tahsil. Of the Satgarh zamindaris Pendra (but for two villages in Katghora Tahsil) and Kenda are in Bilaspur Tahsil and Korba Martin Uprora Laphia Chhuri and two villages of Pendra are in Katghora Tahsil.

98 In the *khalsa* villages of Bilaspur and Mungeli Tahsils and in the *talugdari* and *jagir* villages of Janygir Tahsil there has been a fall in the half century since the 1886-90 settlement from 82 100 to 78 900 acres in the holdings of aboriginal tenants but

*Gond includes Pardhan (2,653) Nagarchi (37) Ojha (30) Marka (6) and Muria (213).

† An estimate only. There were 900 in 1911 in Bilaspur District and Surgua and Jashpur Estates.

the number of tenants has risen from 10,390 to 14,783. In the remaining malguzari villages of Janjgir Tahsil and the tiny malguzari area of Katghora there has been a slight rise in the aboriginal tenancy area from 23,400 to 24,500 acres. Taking the *khalsa* area as a whole, the worst feature from the point of view of economic holdings has been that the large growth of the population has not been accompanied by a corresponding growth of the tenancy area, which is actually in 1939-40 10,740 acres less than it was at the first settlement of the sixties. The average size of the tenants' holdings (all tenants) fell from 10.1 acres at the first settlement to 6.6 acres at the second, 5.5 acres at the third and 4.9 acres in 1939-40. The fall has not been so marked in case of aboriginals, for whom the corresponding figures are 10.25 acres, 7.4 acres, 5.8 acres and 5.25 acres. In the *khalsa* area as a whole since the settlement of the sixties aboriginals have lost about 28,000 out of 131,200 acres. The dispossession of the aboriginal began a long time ago in Chhattisgarh. The Settlement Officer in 1868 recorded the tradition that the whole Mungeli Tahsil was at one time held entirely by Gond, on which Mr. Wills comments in paragraph 14 of his 1912-16 Zamindari Settlement Report—

“This we can well believe, for there were in the Rajput and early Maratha days Gond Zamindars not only in Pandaria but also in Nawagarh and at Mungeli itself. At the present time the Gonds form an altogether negligible fraction of the population in the west of the district, being found in any numbers only in the hills to the north of Pandaria towards the Mandla border. A similar phenomenon is found in the Raipur estates of Bhatgaon and Bilaigarh-Katgi. Here too, though the Zamindar of Bilaigarh-Katgi is himself a Gond, his tribesmen are found nowhere but in the fringe of forest villages along the Phuljhar border in the southern hills. One inference from these facts is obvious, that in the more accessible estates the mere presence of an aboriginal zamindar has afforded inadequate protection to his fellow tribesmen against dispossession at the hands of the more forceful *khalsa* immigrant Brahmins, Kshatris, Kurmis, Telis and Chamars. Granted a facility for immigration, and at once the *khalsa* people have begun to drive off the earlier settlers to the hills.”

99 Coming to the zamindaris, tables VII and VIII compare the rise and fall since the settlement of 1928-30. There was a great expansion of cultivation between the 1912-16 and the 1928-30 settlement, from 483,379 acres of tenancy land to 622,283, in all ten zamindaris. In the ten or eleven years between the last settlement and 1939-40, however, the area has only increased from 622,283 to 643,911 acres. The loss of land by aboriginal tenants in the Satgarh Zamindaris seems only to have begun comparatively recently, and since the last settlement except in a few plains villages of Korba Zamindari and around Pendra in Pendra Zamindari and Kota in Kenda Zamindari, where for some years the Hindu settlers have been steadily expanding their holdings; for example, in patwari circles 47, 48 and 49 adjoining Pendra Road railway station aboriginal holdings increased from 5,876 acres in 1906-12 to 6,590 in 1929-30, but had fallen to 5,102 acres in 1939-40. Non-aboriginal holdings at the same three stages were

7 788 9,300 and 10 435 acres. For patwari circle 34 around Kota the corresponding aboriginal figures have been 2 131 2 992 and 2,517 acres which may be compared with the non aboriginal figures of 1 065 1,952 and 2 458 acres. Aboriginals have actually lost ground since 1928-30 in Korba Pendra and Kenda of the Satgarh zamindaris and in Kanteli and Champa of the open country estates, though the combined reduction has only been 4 900 out of 225 400 acres.

100 In view of the long discussion in Mr Wills' famous settlement report on the measures necessary for protection of aboriginals in the zamindaris the figures in the table below are of interest. The areas in the table are in hundreds of acres —

Zamindari	Non Aboriginal Tenants					
	1906-12		1928-30		1939-40	
	No.	Area	No.	Area	No.	Area
Korba	6,659	45.4	8,291	64.5	10 122	68.9
Matin	855	5.9	858	8.4	1 024	8.2
Uprora	501	2.1	496	3.2	649	3.8
Lapha	1 088	5.7	1,555	9.1	1 612	9.3
Chhuri	2,311	13.4	2,684	16.5	3 199	17.3
Pendra	5 495	48.5	5 684	49.5	7 098	52.9
Kenda	1 164	7.8	1 778	11.3	2,229	12.8
Partially Excluded Areas	18,073	128.8	21 146	162.5	25 933	173.2
Kanteli	757	9.2	1 057	9.1	1 420	9.5
Pandaria	8 172	78.5	8 802	84.7	10 705	89.6
Champa	3 489	31.2	5 120	33.1	5 732	33.3
Other Zamindaris	12 418	118.9	14 979	126.9	17,857	137.4

Zamindari	Aboriginal Tenants					
	1906-12		1928-30		1939-40	
	No.	Area	No.	Area	No.	Area
Korba	6 966	77.6	8,593	102.4	9 871	101.2
Matin	1 737	15.9	2 610	32.2	3 109	36.2
Uprora	1 039	6.8	1 197	10.7	1,519	11.7
Lapha	1,610	14	2,201	20.2	2,631	21.9
Chhuri	2,237	19.3	3 009	27.7	3 706	29.3
Pendra	6,550	68.7	7 961	94.8	8 688	91.9
Kenda	1 442	15.1	2,277	20.8	2 461	20.4
Partially Excluded Areas	21,581	218.4	27,848	303.8	31 985	312.6
Kanteli	103	6	117	8	136	7
Pandaria	1 257	11.6	1 249	16.8	1 485	18.7
Champa	628	5.1	907	6.6	966	6.3
Other Zamindaris	1 990	17.3	2 273	24.2	2 587	25.7

In 1906-12 non aboriginals constituted 46 per cent of the tenantry of the Partially Excluded Areas and held 37 per cent of the tenancy area. In 1928-30 non aboriginals constituted 43 per cent

of the tenantry and held 34 per cent of the area, by 1939-40 they had become 45 per cent of the tenantry and the proportion of the land had risen slightly to 35 per cent. It looks as though the measures taken as a result of Mr Wills' insistence on safeguarding the position of the tribal village headmen in the zamindaris had done a great deal to stabilise also the position of aboriginal tenants holdings under them. Sections 115 and 121 of the Land Revenue Act were enacted as a result of the recommendations in Mr Wills' Settlement Report. Paragraph 43 of Mr Jayaratnam's Settlement Report of 1928-30 shows that the seven Sa'garh zamindaris were notified under section 115 of the Act in 1920 and that in 1924-25 151 headmen had been declared protected under section 115. 12 more headmen were declared protected in the 1928-30 settlement. Unfortunately, as noted by Mr Jayaratnam, a mistake was made during the 1924-25 protection proceedings of extending this protection, which was intended for tribal headmen, to 19 immigrant headmen or lessees who included Brahmans, Telis, Kalars and a Musalman.

101 The table above shows that even now in all the Sa'garh zamindaris the aboriginal tenants hold the bulk of the tenancy land. It would however have presented a truer picture of the extent of expropriation had comparative figures also been collected of the home-farm area of aboriginal and non-aboriginal *thekedars* and *gaontias*.

102 In the three open country zamindaris, which are not Partially Excluded Areas, the aboriginals have not actually lost land though their average holding has somewhat fallen. In Pandaria aboriginals in 1931 constituted 16.9 per cent of the population, in 1939-40 they constituted 12.2 per cent of the tenantry of this estate and held 17.3 per cent of the area.

103 Although the period of maximum loss of aboriginal land in the *khalsa* areas of Bilaspur District has long passed and although in the zamindari areas it has not yet begun, yet various instances were collected by Mr A. M. Jafri, Extra-Assistant Commissioner, the Sub-divisional Officer of Mungeli and Katghora Tahsils, of the manner in which aboriginals are cheated out of their land even in zamindaris. He mentioned especially the tendency in the land between the mountains of the zamindaris and the plains for the non-aboriginal gradually to acquire the better soils while the aboriginal in lieu of his good land gets larger areas of poor soil. He points out that this inferior soil will not support the aboriginals' families and enable him to buy the necessary plough cattle. Much of what he raises from the land goes to the moneylender, and the balance will not suffice to carry on throughout the year, so that he begins the next cultivating year in debt and with no ready money. He has to borrow again to finance his cultivation, to maintain himself and his family for part of the year, and for social expenditure. Ultimately, especially if there are one or two bad seasons in which he loses the crops, he becomes virtually a servant of the moneylender, for even though he nominally cultivates the holding recorded in his name, the moneylender seizes more than half of his crop at harvest, so that he is little better than a hired servant of the moneylender. The process is similar to what is

described by Messrs K B Lall I C S and R. C V P Noronha, I C S in the Raipur zamindaris. Little attention has been paid to aboriginal debt in the Bilaspur zamindaris or in other backward areas and very little use has been made by aboriginals of Debt Conciliation Boards or Debt Relief Courts. It is often assumed that this is because aboriginal debt is almost non-existent. Banking Enquiry Committees leave remote areas alone and whatever laws are passed for the prevention of molestation of debtors are apt to be dead letters in these wild areas so remote from the headquarters of the revenue or police officer that most villages are fortunate if they get more than a stray visit from a revenue or police officer in two or three years. Here are some examples given by Mr Jafri—

(a) Sundarsai Rajgond protected the *thekedar* of Chakabuda, borrowed from a moneylender of Churri to purchase such necessities as salt *gur* and cloth. He could not repay the moneylender and transferred the best half of his land to him as well as Rs 1 500 cash. He is dead but the moneylender demands another Rs 600 from his son Ramcharan who finds it difficult enough to support his family from the reduced land.

(b) In the same village Bihari a Gond tenant bought a *lota* and a *sari* on credit from the same moneylender. He made no repayment and the moneylender ran the account up to Rs 200. This was quite beyond Bihari's means and just before his death he transferred all his land to the moneylender. His widow and children are landless labourers.

(c) At Kunkuna in Uprora Zamindari Bodhrum Rajgond bought a lac ornament worth Re 1-8-0 on credit from a Bania. He did not pay this up and the Bania's account rapidly accumulated. Before he died three years ago he had passed all his land in payment of the debt to the Bania who sold the land to someone else.

(d) Deosingh Kanwar of Mudunaru in Korba Zamindari borrowed ten *khandi* of rice seed in 1931 from a Brahmin of Bankheta at 100 per cent interest to be paid at harvest. In 1932 he paid back 12 *khandi* but the Brahmin demanded 8 more and converted this debt into a cash debt of Rs. 32 at Rs 4 per *khandi*. Deosingh was to pay interest at the rate of two annas per week. The debt rose to Rs 192. The Brahmin then shut Deosingh up in a room for three days until he agreed to transfer to him an acre of land and give security for the balance of Rs 20. The field was given on the understanding that the Brahmin would credit Rs 4 every year to his account. Next day he paid Rs 20. Next year 1934 Rs 35 in 1935 Rs 14 in 1936 Rs 12 in 1937 Rs 14 in 1938 Rs 20 and in 1939 Rs 20. He also gave his son as a bond servant to the creditor for eight years for which the Brahmin credited him with Rs 80. So for an initial debt of ten *khandi* of seed worth at the most Rs 40 even according to the Brahmin's account he had paid him Rs 228 and passed over to him one of his best fields.

(c) The father of Lagansai Kanwar of Mudunaru borrowed 10 *khandi* of rice seed in 1931 and repaid 11 *khandi* in 1932 to the same Brahmin. The Brahmin converted the balance of 9 *khandi* (the rate of interest again was 100 per cent) into a cash debt of Rs. 36, again with interest at 2 annas a week. By 1939 the debt had risen to Rs. 216. On one occasion Lagansai's father was made to stand on two bricks with his legs wide apart in the full heat of the May sun. Lagansai had had to sell his pair of buffaloes for Rs. 80, which he paid to the moneylender, to whom he also gave a rice field of nearly an acre on condition that Rs. 8 should be credited against his debt every year. In the five years 1935-38 he repaid in cash Rs. 20, Rs. 20, Rs. 6, Rs. 20 and Rs. 20. He personally worked as a servant for his creditor for eight years, for which the creditor set off Rs. 80 against his debt. In all, on the moneylender's account, he has repaid Rs. 310 and has lost a field.

Several other examples are mentioned of so-called mortgages of fields with or without possession though sometimes fields of which the moneylenders had taken possession have been restored.

101 Rao Bahadur N. R. Chandorkar, the then Deputy Commissioner of Bilaspur, suggests that no conclusions can be drawn from such isolated instances in view of the undoubted fact that the aboriginal tenants in the Satgarh zamindaris are steadily increasing their holdings and their cultivation. But nevertheless such examples are so common in all the aboriginal tracts in the province that they cannot be so easily dismissed. The Deputy Commissioner suggests that the exchange of good land for bad is an illegal transfer contravening the Tenancy Act and that therefore it cannot often happen. But often the agent of the zamindar, or of the Court of Wards, as we have seen elsewhere, may be in league with the moneylender and the transfer may not be known to the estate, or if the debtor is a protected *thekeदार* or headman, the transfer may not be illegal. Moreover, sometimes the tenant feels that he must get money by some means from somewhere. In paragraph 50 of Mr. Jayaratnam's Report he describes how at settlement it was found that in the zamindaris nearly 50,000 acres of tenancy land had been entered as land held without rent. It consisted of patches of ground bordering the tenants' fields and freshly broken up by them from waste, this being detected by the patwaris and entered in the village papers. The breaking up of land without permission still persists, and the existence of these large unassessed areas arose from incompetent management by proprietors, and inaccurate record by the land record staff. Such "encroachments" come to light with the accurate re-survey at settlement and, to quote Mr. Jayaratnam

"The entries though embarrassing to tenants, were welcomed by proprietors who proceeded to demand '*naxianas*', and reinforced their demand by filing suits for ejectment. I have seen some of the decrees and it was obvious that they could not be executed for it was impossible to locate on the ground, say, two acres of '*bila lagan*' land out of

- " a scattered twenty acre holding with no other knowledge than an entry in the *jamabandi* that two acres are *bila lagan*.
 But the purpose of intimidation was served. Extensive activities were set on foot by zamindars in the Korba Lapha and Uprora zamindaris to collect these unconscionable *nazaranas* from ignorant aboriginals and the evil had assumed serious proportions by the time the attestation parties visited these tracts.

This form of exaction was effectively checked by the application to the Satgarh zamindaris of section 87 Tenancy Act which empowers a Revenue Officer to inquire into the claim of any tenant to hold any land contiguous to his holding but not previously included therein which land he or his predecessor in interest has broken up from waste and to declare him an occupancy tenant of such land and fix rent and a small sum by way of compensation to the zamindar. But it would be surprising if it has not revived in some of these estates where the tenants are backward and easily imposed upon. To meet these and similar exactions tenants have to go to moneylenders who in aboriginal areas invariably charge preposterous rates of interest which would lead to results such as those in the examples quoted from Mr Jafri Rao Bahadur Chandorkar himself summarises his own opinion as follows —

"Though the statistics available do not show that the expropriation of aboriginals has been a serious problem in Partially Excluded Areas of this district I am afraid this happy state of affairs may not last long. With the amendment of the Tenancy Act opportunities for expropriation have been created and moneylenders or others will not be slow to take advantage of them. The Land Alienation Act applies only to proprietary land tenancy lands are thus beyond the scope of the Act which would not protect aboriginals from being elbowed out of their land unless effective legislative protection is given to them immediately.

This of course was written without it being realised that if the Land Alienation Act has been applied to proprietary lands in zamindari areas the creation of new tenancies except in favour of persons belonging to tribes which have been notified as aboriginals requires the sanction of the Deputy Commissioner under section 4 of the Land Alienation Act. The Act has been applied in the Satgarh zamindaris the Pandaria and Kanteli zamindaris and in Bilaspur and Janigar Tahsils to Gond Rajgond Kanwar Tanwar and Pab (the latter are not really aboriginal but a sub-division of Pan Panka or Ganda). It will be necessary to apply it also to all the aboriginal tribes found in these areas. In the *khalsa* villages where the proprietor is not an aboriginal legislation is needed.

Drug District

105 As has been mentioned this district was formed in 1906, out of parts of Bilaspur and Raipur District to which in 1907 were added from Chanda District the four zamindaris of Aundhi Korach, Panabaras and Ambharli Chauki which are now Partially Excluded Areas. The 1911 population of the district was 928,851 of this 192,285 or 20·7 per mille were aboriginals. The

1931 proportion was 219 per mille, but though the aboriginal population increased by 12,949 in the decade the rate of increase was less than that of the general population. The 1941 population of the Partially Excluded Areas was 82,202, of which aboriginals numbered 51,452 or 626 per mille. Comparative figures of the only three important communities are —

Tribe	1911	1931*
Gond*	116,436	116,477
Halba	49,199	55,437
Kawar	6,297	6,124

There were only 1,298 aboriginals of other minor tribes in 1931. In that year aboriginals numbered 461 in every 1,000 in Sanjari-Balod Tahsil, 99 in Drug Tahsil and 98 in Bemetara Tahsil. In Sanjari-Balod they were thickest in the 6 zamindaris (612 per mille), and even in the *khalsa* area were 364 per thousand.

106 In the whole district according to table I aboriginal tenants and holdings have since the settlement of the nineties increased from 13,958 holding 281,200 acres to 24,921 holding 313,800 acres, the average holding falling from 20.3 to 12.8 acres, in the same period the average holding of other tenants has fallen from 12.4 to 7.8 acres, but of course most of their holdings are in the open rice country. Table III shows that in the *khalsa* areas of the three tahsils and in the somewhat advanced Khujji zamindari aboriginals have in 50 years lost 197 acres per mille, their area falling from 164,900 to 131,700 acres.

In the open parts of the district however they have long ago been displaced from most of their land, in the 165 *khalsa* villages aboriginal tenants held only 158,593 out of 889,146 acres in the nineties, and now hold only 126,700 out of 881,000 acres. In Khujji their loss has been slight only, and they still hold almost half of the tenancy area of 10,486 acres. Over much of the almost there are many villages where aboriginals have not an acre, and more where they have only scattered patches, though there are in Drug and Bemetara Tahsils a few patwari circles where they are an important element of the tenantry. In the *khalsa* of Sanjari-Balod, where, as we have seen, in 1931, 364 out of every 1,000 inhabitants were aboriginals, against 4,759 aboriginal tenants holding 108,880 acres in the nineties there were in 1939-40 8,916 holding only 96,248, there are now 290 aboriginals in every 1,000 tenants, and they hold 401 out of every 1,000 acres as compared with 466 per mille in the nineties (since when there has been only a slight increase of the total tenancy area). In two revenue inspector circles of the tahsil, Girur (around the Tan- dula irrigation project) and Balod, the headquarters circle, the loss of land is very heavy, aboriginal holdings have fallen since the nineties from 48,481 to 30,673, a loss of 367 acres out of every thousand.

107 In the zamindaris except Khujji tenants' cultivation and the aboriginal share of it has steadily increased, in the 985 villages 260,644 acres of tenancy land have risen to 373,932, and

*Includes Pardhan (433), Nagarchi (265), Ojha (48), Bhatta (45), Paga (34) and Muria (20), the bracketed figures are the 1931 totals

the aboriginal share from 117 070 to 186,379 acres (though their average holding has fallen from 20½ to 16½ acres) Conditions in the Partially Excluded Areas are not unlike those in the adjacent Garchiroli zamindari of Chanda District The table below compares the progress of aboriginal and non aboriginal settlement in them and the similar Dondi Lohara zamindari of Sanjari Balod Tahsil in the nineties and now —

Estate	Aboriginals				Others			
	Nineties		1939-40		Nineties		1939-40	
	Tenants	Area	Tenants	Area	Tenants	Area	Tenants	Area
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Ambagarh Chauki.	1 343	27 0	2,509	44 2	2 080	24 7	2,429	30.8
Aundhi	155	2 4	387	4 0	36	3	44	13
Koracha	145	3 5	409	8 1	80	13	79	11
Panabaras	1 339	30 3	2 488	54 7	1 172	8 3	1 817	14 9
Partially cluded	2 982	63	5 793	111 0	3 368	34 6	4 369	47 8
Dondi-Lohara	1 606	35 6	3 032	45 8	1 002	15 6	1,677	17 7

[The areas are in hundreds of acres]

108 All five estates are still preponderatingly aboriginal so far as tenancy land is concerned Dondi Lohara which was not Partially Excluded on the theory that its people were more advanced than those of the others being more aboriginal than either of the two largest Partially Excluded estates Aundhi and Koracha are as backward as such adjacent Chanda estates as Jharapapra and Murumgaon Dondi Lohara is very like adjacent portions of Kanker State Panabaras and Ambagarh Chauki being more advanced mainly in the sense that its immigrant non-aboriginal tenants are vociferously opposed on occasions to their aboriginal Zamindarin The Land Alienation Act has been applied in Sanjari Balod Tahsil only to the Balod and Bhindera revenue inspector circles which include parts of Dondi Lohara Zamindari but not except in respect of Halha to the other zamindaris of the tahsil of which all except Khujji are owned by aboriginal proprietors If this Act were now applied to the whole district in the many zamindaris, especially those owned by aboriginal proprietors the aboriginal tenantry would be protected because the zamindar would be unable to create new tenancy rights in favour of non-aboriginals The legal position however of tenancy rights created by a non-aboriginal holding a village on a *theka* from an aboriginal zamindar whether he is protected or not is not clear If he is not protected he is clearly only holding the village as a licensee of the zamindar and could therefore have no greater rights as regards creation of new tenancies than the zamindar This point is important Investigations made in certain *thekedari* villages of Panabaras Zamindari by the Manager of the Court of Wards for this enquiry have shown that some of the *thekedars* oppress the aboriginal tenants and deprive them of their land Except Koracha most of these

estates have *thekedars*, many of whom were given protected status at or before the Zamindari Settlement of 1921-24. In Aundhi 26 villages are held by ordinary *thekedars* and two by protected *thekedars*, in one case protection was conferred on a Marar *theke*dar in an aboriginal village, 25 of the 26 unprotected *thekedars* were Gond Panabaras after the last settlement had 39 protected *thekedars*, of whom 34 were aboriginal, the others being 2 Kurmi, 2 Brahmin and 1 Teli, 99 villages were in the possession of ordinary *thekedars*, of whom 68 seem to have been aboriginals. Some of those upon whom the status of protected *theke*dar was conferred in the settlement were really *gaontias*, but section 115 of the Land Revenue Act was applied in Drug district only to Ambagarh-Chauki Zamindari where out of 75 ordinary *thekedars* 46 were declared protected headmen. The border-line between an ordinary *theke*dar and a *gaontia*, especially when the individual is a local aboriginal, is not easy to define, and one would have thought that more of these Gond and Halba *thekedars* in the other zamindaris were really village headmen or *gaontias* deserving protection. In Ambagarh-Chauki there were also 44 protected *thekedars*, of whom 32 were aboriginals. In Dondi-Lohara 19 villages only were held by protected *thekedars*, of whom 15 were aboriginals, but only three villages were then held by ordinary *thekedars* because, in order to avoid the accrual of protected status, the zamindar had in the interval between legislation and re-settlement evicted all his ordinary *gaontias* except a few related to him.

109 In Panabaras Zamindari the manager enquired into conditions in nine villages held in Panabaras Zamindari by *thekedars*, of whom four were protected *theke*dar. In this *thekedars*, of whom the present *theke*dar is in debt and given to bad habits, though the present *theke*dar is in debt and given to bad habits, the aboriginals are contented and increasing in number and in the area held, they have risen since 1902 from 43 aboriginals holding 916 acres and paying Rs 239 rent to 60 in 1939-40 holding 1,050 acres and paying Rs 466 rent, in the same period non-aboriginals have risen from 12 holding 145 acres rented at Rs 38 to 23 holding 295 acres rented at Rs 140. The village is the largest and the most flourishing in the zamindari and there has been no exchange of good land for bad.

110 Mauza Dundera in patwari circle 110 is in possession of a Brahmin *theke*dar, who was given protected status at the last settlement. Though the number of aboriginal tenants and the area held by them has increased, non-aboriginals have lost 90 acres since the last settlement and the present *theke*dar is oppressive. A good deal of sale of land from one aboriginal tenant to another goes on and the *theke*dar is always out for *nazaranas* which are often beyond the means of the parties. There are several cases in which he has forcibly expelled tenants from holdings and sold them to others, but he has not confined his illegalities to aboriginals.

111 Somatola in patwari circle 108 is now held by a Kurmi. The first *theke*dar was a Maria Gond who settled the village with Maria and retained the *theke*dar up to 1898. The meaning of this is of course that he really was merely a Maria headman,

average aboriginal holding from 13.54 to 11.6 acres. Tables VII and VIII distinguish on broad lines between those parts of districts where aboriginals have lost land (table VII) and the parts where they have gained (table VIII). The extent of loss per thousand acres varies from 378 acres in Wardha District to 26 acres in Bilaspur District but the average gross loss in these loss areas is 133 acres per thousand. It is severest in Wardha District, the Nagpur Katol and Saoner tahsils of Nagpur in three circles of Khandwa Tahsil the Shahpur circle of Burhanpur Tahsil and the greater part of Harsud Tahsil in Nimar District, in the *khalsa* areas and Khujji Zamindari of Drug District in Hoshangabad District (omitting the Rahatgaon circle of Harda Tahsil and Narsinghpur Tahsil except Kerpani Circle) and in Gondia Tahsil (except Tirora Circle) and 530 malguzari villages of Bhandara Tahsil in Bhandara District. In these areas the smallest loss is 174 acres per thousand. But there is not a district in the province in which it is not possible to find dispossession of aboriginal tenants in progress. The effects of this process are naturally not so keenly felt in regions such as Mandla District the Baihar tahsil of Balaghat the Chhindwara jagirs and the zamindaris of Chanda and Chhattisgarh or in the vicinity of large Government ryotwari estates such as are found in Mandla Nimar Betul Chanda and Chhindwara Districts. In the 1869 ryotwari villages of the province the figures of which are tabulated in table VI the aboriginal holdings have increased since the nineties from 326,100 acres to 603,300 acres though even here there has been a fall in the average holding from 20.5 to 18.5 acres. In the loss areas not only has the gross area held by aboriginal tenants fallen by 130 acres per thousand but their average holding has fallen from 13.3 acres to 9.2 acres. Even in the areas where aboriginals have gained or have not lost land (table VIII) the average aboriginal holding has fallen from 16.2 to 14 acres in the whole province but the fall is greater in some parts than in others in the 'gain' areas of the Nagpur Commissioner's division for example the fall has been from 16.1 to 13.8 acres and in those of Balaghat District from 12.3 to 7.5 acres. The loss is most acute where the aboriginal areas lie on the edge of plateaux or in and below the foothills but right in the interior of the wildest tracts wherever there is a bazar village or along a railway line a Public Works Department road or an irrigation canal the non-aboriginal element gradually acquires land (and that the best land) in the most accessible villages.

117 It is true that the average aboriginal holding remains larger than the average non-aboriginal holding but it must be remembered that the bulk of the remaining aboriginal holdings are in poor stony or *barra* soil where the economic holding is certainly not less than 16 acres and is probably more than 20. A fall of one acre in the size of a holding of this type is a more serious matter than a loss of one acre of a good non-aboriginal rice or cotton holding. The problem presented by the steady decline in the average holding and the increase of population is of course common to tenants of all communities. But as it is much more difficult to win a living from the poor soils that fall to the lot of the aboriginal and as in any case so little has been done to teach him improved methods of cultivation in comparison to the work of the Agriculture Department in the plains country

the problem is far more acute in the case of the aboriginal. Add to this the fact that he is educationally and politically far more backward than the non-aboriginal and far less capable of appreciating his legal rights, and it will be realised that though a case could be made out for general restriction of alienation of land by tenants of all the good cultivating castes, there is an infinitely stronger case for protecting the aboriginal tenant. If, as in extreme case of Wardha District, he can in 45 years lose 378 acres in every thousand without protection, and that in a district where he has greater opportunities for education than in most, it seems more necessary to take action now in other districts where the rate of loss has not yet become so extreme so as to safeguard the aboriginal tenant from the total loss of land that in so many parts of the province befell the aboriginal malguzar before the Land Alienation Act became law. The problem, again, has become more pressing since the Tenancy (Amendment) Act of 1939 became law. Though the restrictions in the unamended Act on transfer of tenancy holdings could be evaded by means of a collusive surrender to the landlord and a grant by him of the vendor's occupancy rights in the "surrendered" holding to the vendee, yet this did involve payment of consent-money to the landlord, and it was always legally possible for an intelligent person, who, if he survived the vendor without nearer heirs, would have inherited the transferred occupancy holdings, to apply, before the end of the agricultural year next following the year of the transfer, to get the transfer set aside under section 13, Tenancy Act. Now, however, except in the Partially Excluded Areas (to which these new provisions have not been applied) under the amended section 12 (1) (c) of the Act an occupancy tenant may transfer by sale any right in his holding to anyone; the new Act has also made the transfer of absolute occupancy holdings easier, since under the new section 6-A the maximum consent-money that the landlord can demand for permitting the transfer is fixed at the low figure of 3 per cent of the sale price or the annual rent, whichever is greater. The areas where the remaining aboriginals most need protection are outside the Partially Excluded Areas. Unless therefore immediate steps are taken to amend the law applicable to transfers of land by aboriginal tenants outside the Partially Excluded Areas, it is only a question of a few years before they lose their remaining holdings or all but a nominal title over part of them. As pointed out before (paragraph 19), this was indeed recognised during the debate in the legislature on the Tenancy (Amendment) Bill, when the Revenue Minister said that the Select Committee would have to decide what should be done in the aboriginal and backward tracts where the right of transfer could not safely be conferred at present. Unfortunately, however, in the end the final stages of the Bill were so hurried through that it might become law before the Ministry resigned, that this point was completely overlooked.

118 It is argued at times that the weak should go to the wall and that the wider economic interests of India demand that if the aboriginal cannot make effective use of his land and hold his own against economically stronger competitors, he should make way for the stronger, and that the State, so far from putting brakes on the change, should welcome, if not expedite, it

to the Deputy Commissioner and adjourn the proceedings in that case if the Deputy Commissioner revoked the transfer the proceedings under section 13 should abate

This Bill was on the right lines because the one thing in the Tenancy Act of 1920 that has operated to the greatest disadvantage of the aboriginal is that the Act made so much easier the transfer by a tenant of his holding by means of a fictitious surrender to the malguzar

122 I should mention an alternative model for the draft Bill. In the Agency Tracts of the Ganjam and Korapat districts of Orissa and the Vizagapatam and East Godavari districts of Madras the Agency Tracts Interest and Land Transfer Act 1937 is in force. Section 4 of this Act is as follows —

(1) Notwithstanding any rule of law or enactment to the contrary any transfer of immovable property situated within the Agency tracts by a member of a hill tribe shall be absolutely null and void unless made in favour of another member of a hill tribe or with the previous consent in writing of the Agent or of any other prescribed officer

(2) Where a transfer of property is made in contravention of sub-section (1) the Agent or any other prescribed officer may on application by any one interested decree ejectment against any person in possession of the property claiming under the transfer and may restore it to the transferor or his heirs

(3) Subject to such conditions as may be prescribed, an appeal against a decree or order under sub-section (2) if made by the Agent shall lie to the Governor in Council and if made by any other officer shall lie to the Assistant Agent or to the Agent as may be prescribed

123 In the most backward areas we have noted in the previous pages several instances in which surrenders are not registered in contravention of section 89 (2) of the Tenancy Act. As for effective administration of any legislation imposing checks upon the present ease with which an aboriginal can lose his land through nominal surrender to the landlord, we shall largely have to depend upon a regular registration of all surrenders. It seems essential to impose a penalty upon malguzars accepting surrenders without registration of surrender-deeds. The maximum penalty might be the consideration received by the landlord for recognising the new tenant or six times the rent of the holding whichever is greater. Of the effect of the various changes in our tenancy law in regard to transfer and surrender there is a useful discussion in pages 32—38 of the *Report of the Sambalpur Land Laws Committee Orissa 1939* appointed by the Government of the new province of Orissa soon after it came into office in order to report on the measures necessary to secure a self-contained land revenue and tenancy law for Sambalpur District as reconstituted in consequence of the formation of the new province. Owing to the transfer of parts of the district from this province to Orissa at different times in different parts of the district the Central Provinces tenancy law was in force in the

different stages through which it had passed in this province. In the bulk of the district, which was transferred from this province to the Orissa Division of Bengal in 1905, the Central Provinces Land Revenue Act of 1881 and Tenancy Act of 1898 remain in force. In the Khariar zamindari and the Padampur tract transferred to the new province of Orissa on its constitution with effect from the 1st day of April 1936, the Central Provinces Land Revenue Act of 1917 and the Tenancy Act of 1920 as amended before that date are in force. Under the 1898 Tenancy Act occupancy right was transferable only in the following cases —

- (a) a tenant might sublet for a period not exceeding one year, and
- (b) he might transfer his right of occupancy to any person, who, if he survived the tenant, would inherit the right of occupancy, or to any person in favour of whom as a co-sharer the right of occupancy originally arose, or who had become by succession a co-sharer therein

A transfer made in contravention of these provisions was not void, but voidable at the instance of any such person as would be entitled to inherit the tenant's right in the holding if he died without any nearer heirs or of the landlord from whom the tenant held the land, on application to a Revenue Officer made within two years from the date on which in pursuance of the transfer the tenant parted with possession of the land. The Tenancy Act of 1920 reduced the limitation from two years to one year from the first day of the agricultural year next after the transfer of possession. Though the 1898 Act thus prohibited the transfer of occupancy land except by way of annual sub-lease to any person other than a sharer or natural successor, in Sambalpur, as in this province, transfers have been freely made by the indirect method of surrender to the landlord and re-settlement by him with the transferee. By this method the landlords benefit at the cost of the tenants. The Report points out that though under the Act of 1898 near relatives of the surrendering tenant could contest such surrenders, yet, as the *gaontias* take a leading part in the transactions, it is not always possible for the poor relatives of the transferring tenants to go against the landlords, and it quotes from Mr Dewar's Sambalpur Settlement Report the following remarks —

“It is comparatively simple to evade the prohibition by means of a present to the landlord, whose interest it is to prefer a well-to-do to an indebted ryot. His help being enlisted, it is seldom that the relatives of the transferor can profitably dispute the transfer.”

124 In the Act of 1920 the provisions of the 1898 Act which had allowed a relative of the surrendering tenant to contest the surrender, were repealed, and the change was explained in the statement of objects and reasons as follows —

“This provision giving the right to an heir of an occupancy tenant to apply to have the surrender of his holding by such tenant set aside, was included in the Tenancy Act of

1898 in order to make the provisions prohibiting the transfer of an occupancy tenant's holding more secure. It was thought that without such a provision a proprietor who wished to sell his *sir* land without reservation of occupancy rights under section 45 would be able to execute a deed of sale of his village without sanction and then by surrendering the occupancy rights which accrued to him in his *sir* land transfer such *sir* land to the purchaser. Experience has shown that the section has not worked well and there is a large body of official and non-official opinion that it should be repealed. Cases of surrenders by ex propriety tenants in order to avoid the provisions of section 45 of the present Act are extremely rare and the real security against such transfers is that under no circumstances whatever can a purchaser of a village in pursuance of such surrender obtain anything more than *khudkasht* rights. In the case of occupancy tenants other than ex propriety tenants it has been found that all or nearly all the applications which have come before the Revenue Officers to set aside surrenders have a large element of fraud in them. The following is a typical case which recently came before the Financial Commissioner in appeal.

'A tenant surrendered his holding to the *malguzar* in consideration of the payment of Rs 1 000. Shortly after the surrender a minor son applied to have the surrender set aside and this application was finally withdrawn on the payment of a further sum of Rs 500 by the *malguzar*. As soon as this application was withdrawn a fresh application was put in on behalf of the wife of the surrendering tenant to have the surrender set aside and it was suggested that this application would be withdrawn if a further sum of Rs 500 was ordered.

Such cases are not uncommon and though it may be said that the object of the section is to prevent transfers by occupancy tenants in the guise of such surrenders there is a strong body of opinion that surrender to the *malguzar* for a consideration should not be prohibited. It enables an occupancy tenant to secure a sum of money in return for land which he is unable to cultivate and is thus often as much to the advantage of the tenant as to that of the *malguzar*.

From this it is clear that the object of the new provisions was to legalise surrender to the *malguzar* for a consideration regardless of the ultimate fate of the land i.e. whether it was absorbed into the *malguzar's* home-farm or resettled with another tenant. The object may have been justifiable in the well-developed open tracts of advanced districts and the provisions were obviously drafted with an eye directed more towards such districts than towards the aboriginal tracts. The Sambalpur Committee's Report continues—

The Central Provinces Tenancy Act 1920 made it easier to make transfer of occupancy rights by way of surrender to and lease by the landlords. The Act has also reduced the time for application to set aside transfers from two years from the date of transfer of possession to one year from the first day of the agricultural year next after the transfer of possession. As sub-sec e for one year is legal i

will be difficult to contest a transfer because the new tenant will have cultivated the land only for one year before the expiry of the limitation, if a transfer is effected a few days before the expiry of an agricultural year. Thus it is found that the new Central Provinces Tenancy Act has the effect of relaxing the prohibition on transfer.

"Those who do not favour free transfer usually give the reason that by allowing free transfer, lands will pass into the hands of the moneylenders and rich people, the landless class will increase and outsiders and exploiters will take away the land of the agriculturists. It was no doubt the intention of the legislature to prevent the accumulation of rent-paying land in the hands of non-agriculturist speculators. In this connection, Mr Dewar in his settlement report wrote as follows —

"This danger did not threaten Sambalpur, and the Act has been inoperative to prevent the passing of land from the poor men into the hands of richer and more industrious agriculturists."

"We agree that the Act has failed to achieve its object. The existing restrictions instead of giving any real protection to the poor agriculturists, considerably reduce his power of borrowing and make it possible for the landlord to realise any amount he likes whenever the tenant is in difficulty and desires to part with his land in order to get some money to remove his wants."

"Khan Bahadur Md Hamid, Settlement Officer, says: 'I think the chief person who is benefited by this provision of the law as it stands is the landlord who generally manages to secure a heavy premium (anything from 25 per cent of the amount of the consideration upwards) on every transfer made by a tenant. This was the chief grievance urged before me by the tenants when I started announcement of the new assessment in the Bargarh tahsil.' Mr Dewar also admitted in his settlement report that the Act of 1898 had resulted in decreasing the borrowing power of the raiyat and increasing the power of the landlords."

"It must be admitted that the value of the raiyat holding was considerably reduced by the Central Provinces Tenancy Act of 1898. If the transfer of such holding were altogether prohibited the raiyat would have lost all incentive to borrow on the security of his holding, but while that incentive still remained, the restriction imposed by the Act resulted in increasing the power of the landlord and decreasing the borrowing power of the raiyats. This has also been a cause for the strained relations between landlords and tenants. In this connection Khan Bahadur Md Hamid says: 'The relations between landlords and tenants are on the whole not so good as they were 20 years ago. The raiyats' chief grievances are that the landlords are becoming more and more rapacious in demanding nazaranas for consenting to the raiyats' transferring their lands or reclaiming new fields from the waste.' During our tours in the district we found that the villagers were unanimous in their demand to take away all powers of

management from the landlords and to vest them in the village panchayat of which the landlord could only be a member if he were elected by the villagers. It was also demanded that the panchayat should be free to elect its own president and other officers and the landlord should not simply by virtue of his position receive any preferential treatment.

The evidence collected by us also goes to show that the restriction has caused moral degradation. Transfers are going on under a false method of surrender. Almost all persons whose transactions have had to be adjudicated under the provisions of law deviate from truth and the tenant hardly if ever gets the full return for the land he parts with. The parting tenant sets up his son or other relations to get back the land for which he has received the agreed consideration. The transferee to get over this difficulty usually resorts to fabricating ante-dated documents to make out a case of expiry of the period of limitation or adduces manufactured oral evidence to that effect. Some tenants with borrowed money buy occupancy holdings and to evade the creditor take shelter under the Insolvency Act. These inequities lead to litigation causing constant flow of wealth from the sweating and labouring interior to the ease-loving towns and dragging the simple unsophisticated worker from his fields to the law courts, where he is made to tell or echo lies. The villager turns from his natural surroundings and far away from public opinion that weighs with him feels little or no remorse in telling a few lies acting in a dramatic stage. Every legislation regarding land should aim at the preservation of the moral and material interests of the actual workers on the field but it is seen that the restriction imposed by the Act of 1893 brought about their impoverishment and moral degradation.

Then coming to the law itself it would be found that there are serious anomalies therein. Mr Hamid in his settlement report writes—

In addition to creating a generally unsatisfactory position and falling largely to achieve their real object these two sections contain a grave anomaly. Under section 47 if an application is not made to a Revenue Officer within two years to set aside a transfer made by a tenant the effect is that the transfer is no longer voidable and the transferee acquires a valid title in respect of the transferred land. But if the value of the property is more than Rs. 100 transfer can be effected only by a registered deed under section 54 of the Transfer of Property Act while clause (c) of section 16 of the Tenancy Act forbids a registering officer to register a sale deed in respect of rayati land. Recently certain occupancy tenants in Bargarh Tahsil taking advantage of this anomaly in the law succeeded in recovering possession through the Civil Court (Title suit no. 142 of 1924) of certain lands transferred by their father seven years ago. I quote the following

extract from the judgment of the Appellate Court to show the view taken by the Court of this anomalous position

‘Now under section 46, clause (3), the transfer of an occupancy right is not void but voidable in the manner and to the extent provided by section 47, etc. Section 47 lays down that such a transfer is voidable at the option of the landlord or the next heir within two years from the date of transfer. The transfer took place in 1918, but the next heir never questioned it and the landlord also recognised the defendants. In these circumstances the defendant no doubt acquired a valid title, but section 46, clause (2), forbids a court passing a decree for sale, and section 46, clause (5), forbids a registering officer from registering a sale deed of rayati lands. It is no doubt true that these clauses will defeat the very provision of sections 46, clause (3), and 47, for by those sections the sale is voidable within two years from the date of sale and if it is not voided by the persons entitled to do so, the transferee acquires a good title against all the world, so section 46, clause (3), and section 46, clause (5), are thus obviously anomalous. However irresponsible the provision of these clauses may be, we have got to administer the law as it is and in the face of section 46, clause (2) and clause (5), if the plaintiff brought a suit for specific performance of the contract of sale, he would be successfully met by the plea that such a sale deed is not enforceable under the Tenancy Law of the land and hence the contract will not be enforceable.’

“While the above decision holds that an heir could claim possession in Civil Court even after two years of the transfer, in the Central Provinces it has been held that as a transfer can only be made legally by a registered deed, and as no deed purporting to make such a transfer can be registered, the so-called transferee, who has come into the possession of the holding, is a trespasser and can be ejected as such by the landlord, but that the heir has no ground for applying to be put in possession.

“Then again the registration of any document purporting to be a transfer of an occupancy holding is prohibited by the Act, but Revenue Officers are recognising transfers made by unregistered deeds or even by oral agreement by allowing mutation in favour of the transferees in the village records. Thus while the law remains inoperative to prevent transfers, the spirit of the Registration Act is also being frustrated. This question was recently raised by the Registration Department and both the Deputy Commissioner and the Revenue Commissioner considered the practice to be illogical.”

The Sambalpur Committee went on to recommend the abolition of the present restrictions on transfers of occupancy land in the interests of the general tenantry of the open country, suggesting that until a tenant could freely transfer his land it would be

hopeless to expect any real improvement in rural credit. On the other hand they suggested that there should be a definite prohibition of transfer of occupancy holdings to non residents of the district, as this would rapidly increase the landless class in the district. This recommendation should be regarded as supplemented by the following recommendations in paragraphs 402-3 of the *Report of the Partially Excluded Areas Enquiry Committee Orissa 1940* —

At present no land is saleable or transferable by the aborigines as also is the case with the non aboriginals. But this provision in law is circumvented in more than one way and transfer of lands does take place in innumerable cases. This has resulted in the aborigines possessing very few lands and in their losing whatever land they have. So whatever be the political status of the district in future the Committee considers that the aborigines as a community are likely to suffer unless some measures of protection be afforded to them till they have reached the level of enlightenment of the non aborigines.

The Committee, therefore recommends that necessary legislation be enacted to safeguard their interests. The following measures are also recommended —

- (a) The complete prohibition of surrender or transfer of lands now in the possession of aborigines except in the circumstances shown in (b) below
- (b) Investing the Deputy Commissioner with powers after full investigation into each case to sanction the transfer of land by sale or otherwise to any other aborigines preferably to relatives of the transferor and failing that to other members of the same tribe and failing that to a member or members of any other aboriginal tribe. While doing this he should see that the lands are not concentrated in the hands of a few prosperous tribal people who may be in possession of a large acreage of land. In case of any aboriginal losing his lands by non payment of rent or by non-cultivation or otherwise it must be leased again only to aborigines and that too after the specific permission of the Deputy Commissioner.
- (c) While leasing out waste lands in villages for the purpose of cultivation preference should be given to members of aboriginal tribes more so to landless people among them.
- (d) Zamindars belonging to the aboriginal tribes should be excluded from the operation of this protection. List of aborigines should be the same as that mentioned in the 13th Schedule of the Government of India Act 1935 for the district of Sambalpur.

125. These recommendations (a) and (b) are very similar to part (b) of the proposed Land Alienation Amendment Bill summarised in paragraph 121 above. The Sambalpur recommendation (b) is perhaps somewhat sounder as it is clearly right that for example in a korku tract if the land is to be transferred to

another aboriginal by the Deputy Commissioner in proceedings for setting aside a transfer to a non-aboriginal, efforts should be made to settle it with another Korku before introducing a Gond. For working the provisions however it will be necessary for Deputy Commissioners to have at their command far more ready and accurate information as to the ethnic composition of the population of the aboriginal tracts of their districts than this enquiry has shown them to have possessed before it began. If the detailed ethnographic maps that have been compiled (in some districts with far more care than in others) are at all accurate, it may now be possible to define with some precision the areas in which aboriginal tribes other than Gonds should have a prior right to allocation of a surrendered or abandoned tenancy lands in preference to—

- (a) other aboriginals, and
- (b) non-aboriginals

In the really backward areas where there are large homogenous tracts occupied by aboriginals of one tribe it is desirable to prohibit the granting of land by the landlord to tenants of any tribe other than the tribe constituting the great bulk of the inhabitants. An exception will however have to be made in favour of such necessary menial or artisan castes as potters, blacksmiths, weavers, graziers, carpenters and Mehra village watchmen or whatever local caste supplies the village watchmen*.

126 This means that a good deal will have to be left to careful rule-making based upon thorough local enquiry in each district, while the Act itself might provide that certain clauses should only come into force in particular tracts as and when those tracts are notified for that purpose. In that case however a definite enquiry must be set on foot in each district and a time-limit given to Deputy Commissioners for the submission of proposals. The experience of the Land Alienation Act has shown that when it is left to individual district officers to make proposals for the application of an Act to areas or tribes at their own discretion, if a Deputy Commissioner is not interested in the objects of the Act or in the aboriginals whom it is intended to benefit, they are for years deprived of the protection which the Act was designed to give them, when subsequently (in the case of the Land Alienation Act it has sometimes been after 22 years) a Deputy Commissioner comes who takes interest in the matter often many aboriginals have in the interval lost the land which would have been saved to them had the Act been applied to them shortly after it became law.

127 The principle of priority to aboriginal candidates for vacant land has already been recognised by Government itself in certain ryotwari areas of the province, notably the Melghat taluq of Berar, and parts of Baihar Tahsil and Nimar District. If this practice is sound for government-owned land, it is equally

*Village watchmen of Mehra or kindred castes are sometimes bad exploiters of aboriginals. In the Hill Maria villages of Ahiri Zamindari on the borders of the Kutru zamindari and the Antagarh tahsil of Bastar State, the kotwars in whose circles these villages lie reside in the plains below whence they make periodic rounds in the hill villages levying various exactions from the Hill Marias.

sound for zamindari and malguzari land. It may reduce proprietors' income from *nazarana* and consent money but such income is really of the nature of capitalised rent in excess of the rent assessed by Settlement Officers at settlement. Government does not take such income into account when calculating proprietary assets at settlements nor is it liable to income-tax. The whole practice of levying *nazarana* has been an inevitable development of the theories that underlay the thrusting upon the naturally ryotwari villages of this province a system based upon European conceptions of landlordism. As a working basis it might be suggested that in all villages where the aboriginal population in 1941 is 75 per cent or more, no land should be legally transferable from aboriginals to non-aboriginals and even if non-aboriginal land falls vacant through surrender it should only be re-settled with aboriginals or with members of the menial or artisan castes whose services are necessary to the village economy in the Melghat for example under section 66 of the Berar Land Revenue Code which restricts the rights of transfer of land of certain aboriginal or backward castes. Balai Mahar, Gaoli Moghia Gowari Chamar and Mang amongst other menial castes have been notified as classes to whom the section will apply.

128. Amongst areas where specific aboriginal tribes should have priority over other aboriginal tribes may be mentioned the Baiga Chak in Dindori Tahsil and certain adjacent Baiga villages in the malguzari tracts of Dindori Bilaspur and Mungeli Tahsils and in the Baitar Tahsil (malguzari khalsa and zamindari) Bharia Bhumia villages in Chhindwara Jagira and adjacent parts of Gadawari Narsinghpur and Seoni Tahsils, Korku tracts in Nimar and Betul Districts and parts of Hoshangabad certain Bhil areas in Nimar District Kamar areas in Bindri Nawagarh Zamindari Sawari areas in Saugor Raipur and Bilaspur Districts and areas in Chhattisgarh particularly Bilaspur occupied by Khar Korwa Dhanwar Binliwar and Bharia. Such priority over other aboriginal tribes is perhaps unnecessary for Gond except in the case of Marri Gond in Ahiri Zamindari and in the Garchiroli Zamindaris (except those owned by Halha or Muslim zamindars).

129. So much for the outlines of the legislation needed. How far it is necessary to extend it even to areas such as the greater part of Mandla where the aboriginal is as yet in no great danger of expropriation from tenancy land will be answered differently by different District Officers. In my own view it definitely breaks down the solidarity of village life in aboriginal areas if malguzari are allowed to encourage settlement in those areas of large numbers of tenants of non-aboriginal castes or communities sooner or later the whole life and wont of tribal life is undermined by the intrusive element. Therefore speaking generally the consent of the Deputy Commissioner should be necessary before land whether zamindari malguzari or ryotwari can be given out to non-aboriginals. I have recognised the debt that the aboriginal agriculturist owes in parts of the province to Marri and other Hindu cultivators who have settled in their midst. But enough of these have already settled there and they will be free to transmit their land by inheritance perhaps even by transfer to other non-aboriginals. If in any area agriculture is so backward that it needs to be improved from the example of settlers

of good cultivating castes, then the policy should be deliberate settlement of colonies of such castes in selected areas, perhaps around bazar villages, where tribal agriculturists may be encouraged to visit and see for themselves the better cultivating methods of the settlers. In the Melghat taluq of Amraoti District, for example, it would be better to have a few definite non-aboriginal cultivating villages than to allow, as has happened around Dharni, many Muslim and non-aboriginal Hindu settlers to establish themselves to the detriment of the Korku.

130 There should be no hesitation whatsoever in applying the new law everywhere to aboriginal absolute occupancy holdings and to all aboriginal holdings in the open country and in the country on the fringes of the many aboriginal tracts, even in the most advanced districts. On this basis the law should apply immediately to the whole of Nagpur, Wardha, Jubbulpore, Saugor, Hoshangabad and Nimar, and to the *khalsa* areas of Chanda, Chhindwara, Balaghat, Bhandara, Raipur, Drug and Bilaspur Districts. I would apply it also to all the Betul District, and to the plains zamindaris of Bhandara and Balaghat Districts. Certain other areas in the other zamindaris of the province have been indicated in the preceding description of the conditions of each district.

131 The fact remains that the ideal land tenure system for the aboriginal is his own natural ryotwari system, with villages controlled by patels and *muqaddams* of the chief local aboriginal caste. Whether it be in Mandla, Baihar, Betul or any other areas, the contrast in contentment and well-being between aboriginals of a village held by a non-aboriginal proprietor (generally an absentee) and ryotwari villages under aboriginal patels is remarkable, the same thing may also be seen in the better forest villages in the districts which have had a succession of good Divisional Forest Officers. I recommend any one who is not disposed to agree with this to try a walk from Betul through the forest village of Dharakhoh and other villages in the Ranipur reserved forest to Ranipur and back through Amdhana to Betul, or to see the difference in the Bhainsdehi Tahsil between the ryotwari villages around Sawalmendha and the adjacent malguzari villages around Kotalkund, as the Berar border is approached on the Betul-Ellichpur road. For wretchedness few places could be worse than the aboriginal villages belonging to absentee moneylending and other Hindu and Muslim landlords in various parts of the Nagpur District, in the Gond tracts of Saugor, in many parts of Betul and in Mandla, in fact in most districts of the province. In the 1916-21 Betul Settlement Report, paragraph 9, Mr C G Chenevix Trench, C I E, wrote of the chief characteristic of all landlords in that district other than Gond and Korkus as being the almost complete absence of any "feudal" or sentimental tie between them and their tenants. He continued

"Some of the largest Bania and Brahman malguzars frankly admit to never going near their villages. They manage exclusively through agents, and positively the only prominent malguzar with any idea of personal responsibility towards his 'asamis' is, I believe, the Kunbi of Nawapur who

owns 11 villages in the Multai and Bhainsdehi tahsils. Collection of rents (and other dues) and cultivation of home-farms make up the sum total of their functions as landlords. In other respects they leave their tenants alone and the latter expect nothing else. 'Squeezing' of aboriginal tenants is rife in the forest tracts and is the only form of oppression practised on a serious scale. It consists in the levy of unauthorised dues of forced labour mahua chironji gull grass firewood and fowls, in return for which some more or less shadowy concession is sometimes granted. In some villages the aggregate value of these illicit dues (carefully distinguished from collections sanctioned by village custom) alone equals the land revenue. The aboriginal is a submissive creature easily frightened and the avidity with which moneylenders buy up jungle properties often at very long prices is thus in part explained. Next to the moneylending Banias and Brahmins Rajputs practise those extortions most systematically but this caste which held 92 villages at last settlement is losing ground rapidly.

Compare with this the following quotation from paragraph 72 of Mr H F E Bell's Mandla Settlement Report of 1904-10 in which after enumerating 12 large landowners in the district (only one of whom, holding 12 villages, was an aboriginal) whose estates comprised 604 of the 1 446 malguzari villages of Mandla District he continued

Besides these there are a large number of smaller estates partly owned by malguzars who live in one or other of their villages and partly by non residents from one or two of the large centres and there are no more than 409 villages in which there is a resident member of the proprietary body. It is therefore hardly necessary to say that on the whole the malguzars of the district are an indifferent lot. There can be but little sympathy between a Gond tenantry and non residents of an alien caste villages which their owners have in some cases practically never seen are left to their own devices to fuddle on as best they may. rents are collected before they are due to save a double journey tenants are compelled to travel long distances to the malguzars head quarters to perform the customary *bhet begar* such as carriage of wood and grass thitching and other works. But in many cases the malguzars are worse than indifferent. The apathetic simplicity and ignorance of the Gonds renders them no match for determined or educated aggression and the larger estates, such as those of Raja Gokul Das Jagan Nath Chowdhari Beohar Raghur Singh and the Deo estate are left largely to the tender mercies of dubious and undesirable agents and will be found full of active oppression and chicanery by no means always within the four corners of the law. Nor as a rule are matters any better when fairly large landowners commence taking a direct part in the management of their villages. it would be difficult to find a more oppressed estate than that of Gaya Parshad of Singarpur and the estates of Makund Singh of Bhupuri Shalrazad Singh of Shikpura Janardhan Singh of Shikpura and all the Kalar malguzars of North West Dindori are managed on lines

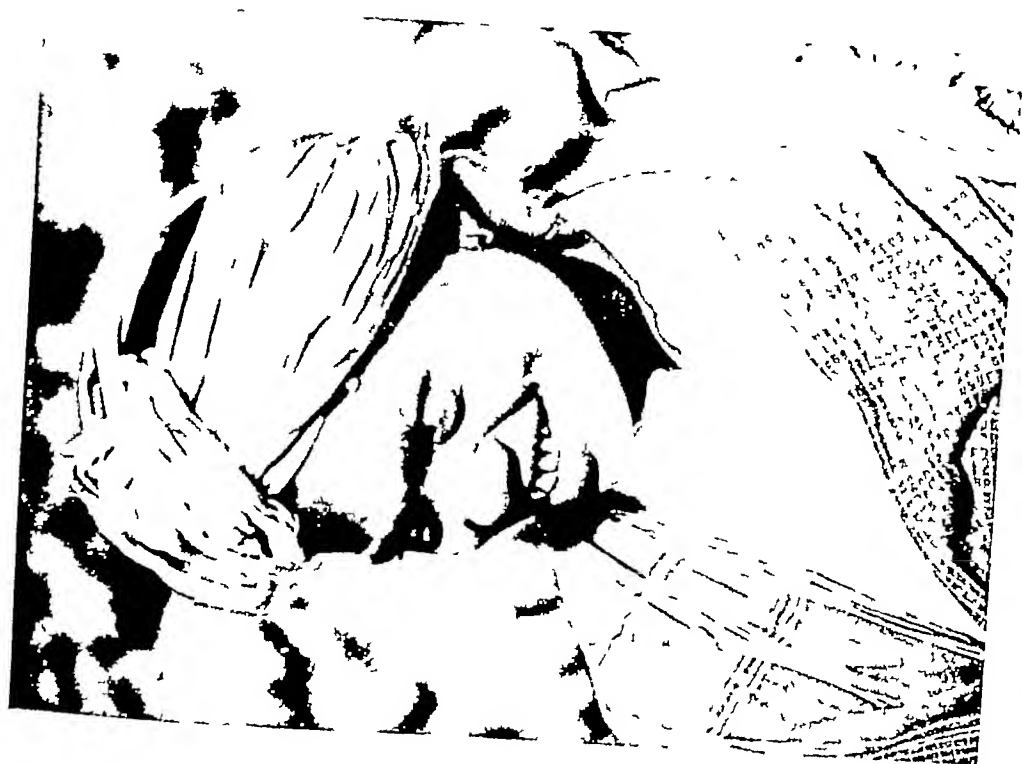


FIG 6 Gond youth from Dindori Tahsil
Photo by Baron C von Furer Haimendorf



FIG 7 Kol youth from Murwara Tahsil

which leave very much indeed to be desired. But there is fortunately another side to this rather depressing outlook. It is true that the majority of the villages of the district are owned by absentees, who can seldom if ever be more than indifferent landlords, and are often definitely worse. There are in fact many tracts where there are practically no resident malguzars at all—for example, in the tract made up of the Mokas, Ramnagar, Ghugri and Chapartala groups, only 30 out of the 453 villages are owned by resident malguzars—even the *haweli*, or open tract round Mandla, where there is every amenity of life and little excuse for absenteeism, can boast of only 55 residential villages out of a total of 174—and Ramepur, where the Rathor Telis are strong, is the only group where more than half the villages are residential (91 out of 125). Out of a total number of 1,446 malguzari villages, however, 409 or just over a quarter are residential—and possibly about as many again belong to men residing in neighbouring villages and, being within easy reach, are to all intents and purposes residential villages. The cultivating castes—Kurmīs, Lodhīs, Kīrars, Rathors and the like—who are the main part of the residential malguzars are usually on good terms with their tenantry—and their keenness on extending their home-farm, which might, with an inferior tenantry, lead them into oppression, is usually held in check by the fact that in their villages of residence, the tenantry is of their own or some other good cultivating caste, and not lightly to be imposed upon. The few villages in which Gonds have succeeded in retaining their proprietary rights are, however, the most contented—and it is in these alone that some trace of the old patriarchal system still survive—the malguzar occupies the position of *primus inter pares*, finances the villages with grain, settles small disputes, and with very few exceptions has neither the power nor the inclination to take any advantage of his tenantry.”

That conditions of this kind continue in Mandla District may be seen from various examples given in my *Notes on the Aboriginal Problem in the Mandla District*, paragraphs 33-34, and from the following extract from a recent letter, dated January 27th, 1942, from the Deputy Commissioner, Mandla:

“Everywhere I go I find more and more evidence of the exploitation of the aboriginal by malguzars, traders, contractors and others. This season I have been touring in the interior in many localities which probably had not been visited since Settlement and I find the general state of affairs appalling. There is almost complete anarchy in the villages—the alien malguzar does just what he likes. He makes a demand for grazing dues or payment for *nistar* and when the villagers protest, he will ‘compound’ with them, demanding a round sum like a hundred rupees. If they do not agree he will impound their cattle, run cases against them in civil courts or even harass them with gangs of loafers hired in Mandla or Jubbulpore. It is simply astounding what does go on in the villages. In a village called Keolari on the border of Seoni I found that the malguzar, one Biharilal Bania of Jubbulpore and Mandla, had forcibly cut the crops

of a large Gond family and had had the menfolk beaten up by a gang of five loafers from Mandla. The family were without food and the Gond Gumashta Mukaddam was too terrified to complain about what was going on to the police. The same malguzar had called the village kotwar into Mandla some thirty miles away and beaten him there for doing something which displeased him. In a nearby village called Ataria the new malguzar a railway gang *muqaddam* Lodhi by caste had been stopping all *nistar* and deliberately trying to drive the tenants out of the village in order to get their land for himself and his family. In the same area there was a Brahmin called Kalka Prasad who had recently bought two villages and had taken away the lac cultivated by the tenants and had made a completely new demand for grazing dues to which he was not entitled. In a village in Niwas I found a malguzar who had forcibly dismantled two Gond tenants' houses which had been standing since Settlement on some pretext or other. Yesterday I came across a case in which a Gond tenant had for 17 or 18 years preserved timber in one of his fields. In 1939 he had sold it and on the malguzar's claiming the timber he had approached my predecessor. The tenant was told that the timber was his and had a copy of the Deputy Commissioner's written order. The malguzar however still claimed it and had seized it. The timber was still unsold in consequence. Then all the villagers of Beohar Raghur Singh's estate have complained to me bitterly about the way he oppresses them by demanding grazing dues, forbidding *nistar* cutting down the trees in their fields, etc. They told me that last year he had been fined Rs. 50 for breach of the *wajih-ul arz* for taking grazing dues that the appeal had been rejected by the Deputy Commissioner and the Commissioner but that he had told them that the order was illegal and that he was going up to Nagpur to get it reversed and in the meantime they must continue to pay their grazing dues, which he had already collected from them for this year. I find that several tenants had had civil court decrees awarded against them for non payment of these grazing dues. I am looking into this and I feel there must be something very wrong about the procedure in the civil court for I verified the *wajih-ul arz* and found the tenants were entitled to free grazing. The position of trees in the tenants' holdings is very unsatisfactory. I am not quite sure what the new Tenancy Act means where it says that the tenant has the same rights in trees as he has in his holding the two being entirely different. They cannot lop branches off a holding or cut it down and carry it away. At present the malguzars in this district are heavily exploiting their jungle owing to the demand for timber for the war and vast quantities of trees are being cut down in tenants' fields.

132 I suggested in 1935 that a necessary reform was the expropriation of non aboriginal malguzars of aboriginal villages and the conversion of the latter into ryotwari villages together with a reservation of appointments of *muqaddam* and *muqaddam gumashta* in aboriginal villages for members of aboriginal tribes. To the latter suggestion partial effect has been given by amendment of rule VI under section 191 of the Land Revenue Act to

provide that in villages in which aborigines predominate, no person who is not an aboriginal shall be appointed *muqaddam-gumashta*, unless the Revenue Officer is satisfied that no suitable aboriginal is available. The enforcement of this rule will need constant watching. The obstacle in the way of buying up the non-aboriginal malguzars of aboriginal villages is financial, the burden of compensation might be beyond the present means of this province, to judge from the examination made of the 1921 Retrenchment Committee's proposal to buy out all malguzars in this province as the only real means of effecting ultimate substantial increase in provincial revenues, since malguzars intercept 50 per cent of the rents as compared with the ryotwari patels' commission of from one to three annas in every rupee of land revenue. A more detailed examination might now be made of the cost of buying out malguzars in selected aboriginal tracts. That this, combined with prohibition of the grant of land to non-aborigines in aboriginal areas, will be the only effective safeguard for aborigines seems to me to be definitely the case. The Deputy Commissioner of Mandla writes —

“In view of the disastrous effect of the malguzari system on the primitive people, it would be advisable to expropriate malguzars in predominantly aboriginal villages, buying them out and converting the villages to ryotwari, a loan could be raised for this, and it should not be difficult to provide for interest and redemption out of the extra revenue accruing.”

The 1936 examination of the suggestion produced a good deal of agreement from the Deputy Commissioners. Those in favour included the then Deputy Commissioners of Bilaspur, Balaghat, Nimar, Hoshangabad, Nagpur and Betul. Mr Stent, who was then Commissioner of the Nagpur Division, wrote as follows —

“The Deputy Commissioners of Nagpur and Betul support this proposal, while the Deputy Commissioners of Chanda and Chhindwara oppose it mainly on the ground of expense. The Deputy Commissioner of Betul has given some interesting information as to the progressive dispossession of the agricultural classes and especially of aboriginal proprietors in that district. Expropriation, however, would undoubtedly involve heavy initial expenditure and, if interest on the capital outlay be taken into account, would not be a paying proposition. I have no doubt that it would be in the best interests of the aboriginal tenants. Most of these tenants would not be able to pay down a reasonable sum in order to purchase *malik maqbuza* rights, and it would be necessary to settle villages as raiyatwari. Government would, of course, gain by receiving the malguzar's share of the village assets. The best course, I think, would be to take every opportunity of acquiring such villages when they have to be sold for debt in collectors' cases and negotiate for the purchase of a few villages of this kind in each district to start with at a price not exceeding 20 times the land revenue. If the percentage of malguzari assets taken as land revenue is assumed to be 50, this would mean that Government would get 5 per cent on its capital outlay, which is above the current market rate of interest.

Sir Geoffrey Burton, who was then Commissioner of the Jubbulpore Division made the more cautious comment —

The expropriation of non aboriginal malguzars is a very drastic measure. The principle of the conversion of malguzari villages into raiyatwari ones where non aboriginal malguzars have expropriated aboriginal villagers might be generally accepted by Government and action be taken in bad cases upon the reports of the Deputy Commissioners. It should be possible to arrange for this without undue hardship under the Land Acquisition Act. Where such villages come to auction Government should consider buying them in. The example of a few instances in which malguzari villages had been converted into raiyatwari villages would have an effect of discouraging expropriation in other villages.

Little action has however been taken either to examine the financial implications of general expropriation of non aboriginal malguzars in aboriginal tracts or to enable the Deputy Commissioners in sales for arrears of land revenue or in execution of decrees for sale of land transferred by Civil Courts to Revenue Officers for execution to bid on behalf of the Crown and buy in malguzari villages. Positive instructions that they should bid for the Crown in such sales seem to be required the purchase being if necessary financed from provincial loans the cost however would not be very great and could be estimated by getting from selected districts a list of the cases in which during the past five years the Crown could have bought whole villages changing hands in this way and by calculating from this the average annual sum likely to be required.

133 *Zamindari villages*—The position is discussed in the next part of this Chapter dealing with the loss of land in proprietary villages.

134 *Ryotwari villages*—Legislation is not as necessary in ryotwari villages. It is necessary however to enforce and extend the principle mentioned above as already applicable to certain ryotwari areas that vacant survey numbers in predominantly aboriginal villages and tracts should only be allotted to aboriginal ryots or ryots of the menial castes whose assistance is necessary to the village economy. The Provincial Government can at any time by rules under section 211 of the Land Revenue Act clarify the position and strengthen the protection to be given in this way to the aboriginal. The present rules are divided into two parts the first dealing with those villages which have been surveyed and divided into survey numbers on which separate assessments have been fixed and the second part with villages in which it has been directed under section 205 of the Land Revenue Act that no separate assessment should be imposed on survey numbers. For both these classes of villages a rule is necessary to the effect that in predominantly aboriginal villages no land shall be allotted to a non aboriginal except to a limited number of members of the menial artisan and grazing castes. A list of the aboriginal villages should be maintained in each tahsil. Under rule 1 (6) Deputy Commissioners are empowered to order that in any village the allotment of survey numbers which are vacant owing to surrender or abandonment

shall be made by auction, provided that in Nimar District the allotment of survey numbers *shall*, unless otherwise directed by the Provincial Government, be made by auction. This is unsound so far as predominantly aboriginal villages are concerned. There should be no auction in such villages. The Provincial Government recently exempted the Padlva revenue inspector circle of Harsud Tahsil from the operation of the proviso, a practical demonstration by the local Gond and Korku ryots of their gratitude for this concession has already been mentioned in paragraph 45. Under clause (iii) of the same rule the Nimar district is exempted from the provision that the bids shall be restricted to agriculturists who have resided in villages for at least a year before the auction and, in the case of uninhabited villages, to the agriculturists of adjoining inhabited ryotwari villages, though the Deputy Commissioner has discretion for special reasons to allow any other person to bid. In Nimar bids are open to all persons, provided that for the protection of aboriginals the Deputy Commissioner may restrict bidding to agriculturists who have lived in the village for at least a year before the auction and, in uninhabited villages, to agriculturists of adjoining inhabited ryotwari villages. But in aboriginal villages, in Nimar or elsewhere, the bids should be restricted to aboriginals of any tribe who have resided in the same patwari circle for at least a year before the auction or to aboriginals of the tribe or tribes predominant in the village, wherever previously resident. The policy of attempting to get the highest price for land in ryotwari villages in aboriginal tracts regardless of the community to which the bidders belong should definitely be abolished in favour of absolute preference to non-aboriginals and the necessary village menials, artisans and graziers. It is also most important to see that the patel and mukaddam of ryotwari villages in aboriginal tracts should invariably be aboriginals. I have drawn attention to this in paragraph 82 of my *The Aboriginal Problem in the Balaghat District*.

135 As regards the actual allotment of survey numbers, I reproduce below paragraph 84 of my Balaghat Report —

"84 All the ryotwari villages of the tahsil have been surveyed and divided into survey numbers, and for this reason allotment is made not by the patel but by the Tahsildar. It is the duty of patels to report the abandonment of survey numbers, but in practice they do not do so, and the tahsili gets this information from the patwari. There has been no general order under rule I (6) (i) under section 211, Land Revenue Act, that survey numbers vacated by surrender or abandonment shall be auctioned, but often where there have been several competitors for such survey numbers they have been auctioned under the special order of the Deputy Commissioner. Nor is there any district order that so far as possible lands shall be given to aboriginals in villages where aboriginals predominate. The ryotwari rules in this respect should perhaps be modified for aboriginal areas, so as to reproduce the practice in the Melghat, where preference is always given to aboriginals and semi-aboriginals. In Baihar when plots are auctioned, not only is no preference given to aboriginal bidders, but in practice it is

almost impossible for them to bid successfully against their Hindu rivals. There would be no great difficulty in adopting the Melghat practice because in Baihar at least villages tend to be either mainly aboriginal or mainly Hindu and nearly all have many unallotted survey numbers. There is too much delay in the allotment of new survey numbers. The practice is for each case to be looked into on the spot by the Tahsildar or Naib Tahsildar, and so the case drags on till a visit to the village can be fitted into a regular tour programme. Use might be made of rule I (5) under section 211 Land Revenue Act by the Deputy Commissioner to issue an order that throughout the tahsil no formal application for survey numbers shall be needed when the applicant is an aboriginal and that in such a case the patel shall allot subject to the subsequent approval of the Tahsildar.

136 Mr Hyde the Deputy Commissioner Mandla has however recently pointed out to me certain practical difficulties in the way of allotment of land by patels. Mr Hyde refers to an interesting report received from the Naib-Tahsildar Dindori on the working of the allotment of survey numbers by patels in ryotwari villages from which he says it seems—

that it is really inadvisable to leave the allotment of land in the hands of aboriginal patels for in this as in everything else they seem unable to stand up to outsiders and to protect themselves and their villages. They are found to allot more land than is allowed under the standing orders to give survey numbers to non-aboriginals and to non-residents and to give out small parcels of land to people whose one object is to get free grazing in the raiyatwari forests. In a big tahsil with hundreds of raiyatwari villages like Dindori it is difficult for the Tahsildar to exercise effective control over the patel's allotments. Frequently also the patel is in the hands of the patwari. It is difficult to suggest a satisfactory solution but I do think the reservation of raiyatwari villages for aboriginals would be a partial solution. Revenue Officers should also have much greater powers in a original areas for turning out undesirable non-aboriginals from the raiyatwari villages. Once they get in and are allotted survey numbers it is almost impossible to get rid of them. They frequently get hold of a good raiyatwari village and directly or indirectly drive out all the aboriginals. Bhua and Bichhua two of the best raiyatwari villages are practically completely non-aboriginal full of Banias Telis Brahmins and others. At a recent auction of survey numbers not a single aboriginal bid so I refused to sanction many of the offers and give out the land without auction to Gond resident who had insufficient cultivation. The damage has already gone too far however. Mr Patel quotes the case of Bhanpur raiyatwari in the Mawar circle where no aboriginals will take up vacant survey numbers because they are afraid of the Bania Mussalmans who have control of the village.

Mr Hyde says that the more he sees of Mandla District the more he comes to the conclusion that effective protection of the aboriginal can only be secured by strict protective legislation.

enforced by an executive staff with very great powers. The Gond and the Baiga simply cannot cope with modern conditions and are really incapable of looking after themselves and their own interests. If, as is suggested elsewhere*, legislation is undertaken on the lines of the Bombay Mamlatdars' Courts Act of 1906, Revenue Officers will automatically be vested with wider executive powers to deal on tour with cases of oppression, expropriation and illegal settlements of lands with non-aboriginals, and the quite ineffective protection now theoretically available to the aboriginal from the civil courts will be replaced by something effective. The report of Mr. S. S. Patel, Naib-Tahsildar, to which Mr. Hyde refers, is of interest, and part of it is reproduced below —

"I received pattas from all these three revenue inspector circles for the year 1910-11 as late as October 1911, when as a matter of fact even pattas for 1911-12 should have been prepared and delivered to the tenants. The following difficulties are experienced by the Revenue Officer while sanctioning pattas which are sent as late as stated above —

- (1) Patels being ignorant of the conditions of allotment are found to allot areas in excess of 20 acres of (black soil) *mota* land and 10 acres of *barra* land
- (2) Patels allot land in such small areas as about 0.25 acre assessed to two or three annas revenue, which entitle the ryot to the right to graze eight head of cattle free. In such a case the area is taken by the ryot not for the sake of cultivation but for acquiring free grazing rights.
- (3) Patels allot survey numbers even to non-aboriginals which results in great hardship and inconvenience to the aboriginal ryots of the same village
- (4) Patels allot land even to those ryots who at the time promise to take up residence but subsequently do not fulfil the promise and accordingly have to be proceeded against
- (5) When more than one ryot demand the same survey number the patel allots it to the one whom he likes without taking into consideration whether he is an aboriginal or not, or whether he takes it with the intention of cultivation or merely of getting grazing rights. The patwari under the present practice has no other alternative but to prepare the patta in favour of that man whom the patel selects
- (6) The revenue of the survey numbers is included in the *kistbandi* B-1 and B-2 according to the allotments made by the patel
- (7) When cases of unauthorized cultivation are started at the instance of the patwari, patels who really had not allotted the survey numbers before, appear in court, and for reasons best known to them, state that they had allotted the land. The patwari's report is not believed, and he is blamed for nothing

*See paragraphs 234 and 235, and Appendix F at the end of this Report

It is generally found that the Revenue Officers accord their sanction to the allotments made by the patels without using their discretion for the following reasons —

- (1) The pattas are received so late that the tenant has almost completed his possession over the survey number for that year
- (2) The revenue having been included in the *qistbandi* B-1 and B-2 and recovered by now the Revenue Officer is obliged to legalize the action of the patel
- (3) The tenant having enjoyed possession having paid revenue and been allotted land by the patel who is supposed to be in charge of the allotments can legally question the right of the Revenue Officer to reject the allotment made to him at least for the year

It was perhaps in view of such difficulties the new system of allotments by Tahsildars was started three or four years ago which takes away the right of the patels of those villages to allot survey numbers in any way. Although this system is working more satisfactorily than the system of allotment by patels it is not practicable to take up this latter system in all the ryotwari villages, which are so many in this tahsil. In order that much time may not be lost and the ryots may acquire possession over the survey numbers just when they need them for cultivation the system of allotment by the patel is the only desirable and practical solution of this important duty in ryotwari villages. But to avoid these difficulties some sort of definite procedure must be followed throughout.

According to the *gaon qaida* (ryotwari *rajib-ul-ar*) Part 2 section 1, survey numbers are to be allotted by the Tahsildar through the patel and according to section 211 (5) Land Revenue Act and Rule I (7) thereunder the allotment is not supposed to be final till the Tahsildar accords sanction to the allotment made by the patel on the report of the patwari and revenue inspector. If this procedure were strictly followed then no such difficulties would have been experienced. The patwaris and revenue inspectors do not realize that it is their duty to see that the patel observes the allotment rules and orders when allotting lands to the ryots. They should see that ryots who only desire to get grazing rights in the village such as Labhanas and Banjaras and other non-aboriginals are not allotted any survey numbers but that as far as possible all should be allotted to the aboriginals. Looking to the conditions and demand for survey numbers in this tahsil it can safely be said that allotments should be limited to aboriginals. The disadvantages of allotments made to non-aboriginals can best be illustrated by the example of Bhampur village in patwari circle 55 of Marwar revenue inspector circle. Though there are many *lablailit* numbers in this village no aboriginal ryots to take any survey number in this village from fear of trouble from the present non-aboriginal ryots who are almost all of them Baluch Muslims. The patwaris should tell the ryots and patels not to allow possession of survey numbers where any allotment condition is infringed. If they find that

excessive land has been allotted, or that land in small plots paying only two or three annas revenue has been allotted for the sake of getting grazing rights, or that non-aboriginals have been allotted survey numbers, they should be prevented from acquiring possession and reports should be sent to the Revenue Officers in charge of the circle at once. If the patels do not help the patwaris in informing them about the survey numbers allotted by them or in any other duty, the patwari and revenue inspector should submit reports against such patels, recommending their removal or other suitable punishment. The patwaris should take in writing from the patels on or about the 15th July, lists of survey numbers allotted by them. Other cases of cultivation detected by the patwaris at the time of *gudawari* or before it should be treated as cases of unauthorized cultivation. Patels would not as at present be able to depose in court falsely that they have allotted a survey number when they have not done so, if they had not included it in the list submitted by them. To me it appears that as for surrenders, some date should be fixed for allotments also. Land is generally needed for cultivation at the time of preparing land for *kharif* and *rabi* crops—twice in a year. Applications for allotments for *kharif* should reach the Tahsildar by the 30th June with the reports of the patwaris. The Tahsildar should then sanction the allotments on the applications which should be returned to the patels by the 15th July. Those whom the Tahsildar rejects should then be asked to give up the land if they have taken possession. The *pattas* and *qabuliyats* if possible should be sent with the applications, or as soon as possible afterwards. Once the Tahsildar's sanction has been given, *pattas* can be delivered at any subsequent time. For *rabi* sowing, applications for allotments should be sent to the Tahsildar by the 15th November and should be returned with orders by the 30th November. Revenue Officers should promptly decide those cases in which they differ from patels after local enquiry. The whole system will work quite satisfactorily if the patels and patwaris are made to realize and perform their duties correctly and promptly. Revenue Inspectors and Revenue Officers should maintain strict supervision over their work. If possible, as for crop enquiries, the Revenue Officers should arrange continuous tours at the two times of year when lands are most generally needed by the tenants, and make the allotments and decide disputes on the spot."

It is necessary to remember that it has been intended by the late Ministry after it had secured the passage of the Tenancy (Amendment) Bill to take up the question of revising the Land Revenue Act, and a probable consequence of this would have been the grant to ryots in ryotwari villages of rights of transferring their holdings as free as those granted to tenants in proprietary villages by the Tenancy (Amendment) Act. For this reason therefore even though it be not necessary to apply the proposed Land Alienation (Amendment) Act, to ryotwari villages at the outset, the provisions regarding the application of the Act should make it clear that there is no legal obstacle to its application to ryotwari villages also.

CHAPTER IV —LOSS OF PROPRIETARY LANDS IN THE CENTRAL PROVINCES

137 The existing Land Alienation Act was passed in 1916. The following extracts from Mr G B De's commentary on the Act are of interest —

In this province it was Mr Wills who in his report on the first regular settlement of the Bilaspur Zamindari Estates (published in 1912) drew the attention of the Government to how the aboriginal tribes were being gradually displaced by traders and agriculturists from the open country. He observed: "The Land Alienation Acts of other provinces our own policy in the Melghat taluq of Berar the gift of a statutory status to the tenantry of these provinces" are all indications that the play of free competition among the conflicting interests of a simple agricultural people is recognized as being fraught with grave dangers to the welfare of the country. This report was forwarded in 1913 to the Government of India with the remarks that the problem of protecting the aboriginal races would receive the careful consideration of the Chief Commissioner. But the Central Provinces Land Alienation Bill (I of 1916)—framed on lines of the Bundelkhand Land Alienation Act 1903—was not introduced in the Central Provinces Legislative Council till the 9th March 1916. The Bill was passed in the Council on the 18th August 1916. The Act came into force with effect from the 15th April 1917.

Objects and reasons—The object of this measure is to place restriction on the transfer of agricultural land held in proprietary right with a view to checking its alienation from aboriginal to non aboriginal classes. The Legislation has for its main object the retention of certain classes of aboriginal agriculturists on the land. The members of these classes are not only ignorant and in many cases impoverished but they are also at a great disadvantage in dealing with their creditors who are not infrequently professional money lenders non resident in the tract. In the interests not only of these aboriginal classes but of the public at large it was thought desirable that some steps should be taken to minimise the evils which follow from this state of matter and it was hoped that it would prove effective in arresting and minimising the evils referred to.

In introducing the Bill the Honble Mr Crump said: "The question of restrictions on the alienation of land by agriculturists is one which has received considerable attention in all parts of India and in the Punjab and in Bundelkhand it has been found desirable to legislate for the protection of certain classes of land holders. In these provinces a careful examination of the problem has shown that while there is at present no necessity to give protection by law to the majority of the agricultural classes there are certain classes who are unable to realise the full effects of the various contracts into which they enter and who are peculiarly liable to fall a prey to unscrupulous money lenders. These classes

are the members of the aboriginal tribes such as the Gonds, the Korkus, the Baigas and other similar people. These are rapidly being ousted from the proprietorship of their villages often in return for a mere trifle.

*"Policy of the Act—Freedom of Contract affected—*The policy of the Act is to afford statutory protection to certain classes of forest tribes in well defined areas where they are being exploited by money-lenders and the like, while at the same time to restrict the right of those forest tribes to make alienation of their proprietary rights. As regards the freedom of contract affected by the Act the Hon'ble Rao Bahadur R N Mudholkar observed 'I believe, Sir, that in the case of a very large number of people who are attached to the soil, the freedom of contract which is allowed under the existing law is more—I do not call it a curse—a disadvantage than an advantage. The case of persons who are able to take care of themselves stands on a different footing, but when you find that the majority of those who are actually in possession of land are persons who, even in regard to ordinary dealings, are not able to hold their own against keen businessmen, such as ordinary money-lenders and traders, much less are they then persons who would be in a position to withstand the guiles which are often practised in regard to land transactions * * * I wish to emphasize with all the power that lies in me that it would be a sad mistake to insist upon leaving persons belonging to the aboriginal tribes to their full freedom and saying that everybody might take care of himself. This only proceeds on the assumption that all people are equally capable of taking care of themselves. But where on the one hand you find simple, ignorant, unsophisticated aboriginals, and on the other hand very shrewd men of business who are none too scrupulous in taking advantage of their position, it becomes a matter of very great importance to the Government to see what has to be done * * * What I do say is that the principle of the measure is one which ought to be frankly admitted by all who wish to see that the large number of persons who have been holding to the soil, who have in those tracts what we might call a sort of natural right to be given preference to hold land, that when these persons are expropriated and their places are being taken by Kalars and other persons who are not the original residents of the place, who are from outside and who belong to what might be called non-agricultural classes, in regard to such persons, I say, the provision which the Bill proposes to make is a very necessary one.'

"The Hon'ble Rai Bahadur B D Shukul in supporting the Bill said —

"We all know how a large number of old and respectable families have been reduced to a state of penury by falling an easy prey to the liberty of contract, and what a severe penalty they have had to pay for their inability to protect their own interests, and I can say with certainty that many of them, who are still involved hopelessly into heavy debts and are not completely crushed, will be saved from falling into the grip of speculators and their agents."

'The Hon ble Rai Bahadur Sir B K Bose observed —

Before the grant of proprietary right the interest which the patels of the old revenue system possessed in their estates was not transferable except with the sanction of the Revenue authorities. When it was decided to recognise in favour of the old Patels and Malguzars a proprietary right in the soil the original Government order was that this newly created right should not under any circumstances be liable to sale for simple debt or for any kind of debt contracted before the Settlement. Papers available to the public do not disclose why effect was not given to this policy when proprietary right came actually to be conferred. Now so long as the village Sowkar was a member of the village community, dependent for the prosperity of his calling upon the goodwill of the village headman he could not afford to be hard in his dealings either with the Patel or his ryots. But when along with the creation of this valuable right of property, a new system of law and procedure was introduced the old ties of inter-dependence were dissolved. The new law armed the Sowkar with all the advantages of the so-called doctrine of freedom of contract and the courts with the power and prestige of Government behind them became his agents to register and collect his debts and he was thus set free from the previous restraining influences * * *. The result has been that a policy conceived and carried out in a spirit of generous recognition of the rights of the people, has in its effect been a potent destroyer of their ancient rights. In many parts of the country the old landholding families the natural leaders of the village communities have disappeared and their place has been taken by a class of people who in many cases are fitted neither by their character nor by their past traditions to have any fellow feeling with the tenants sharing in their joys and sorrows and helping them in their trials and difficulties."

138 By the time that this Act had become law of course most of the damage had been done and everywhere in the province scores of villages had passed from the hands of the old aboriginal chiefs and the aboriginal patels who had been given proprietary rights in the sixties into those of money lenders liquor contractors and other Hindu and Muslim non aboriginal absentee exploiters or into those of resourceful land hungry pioneers of such colonizing cultivating castes as Kunbi Kurmi Lodhi and Marar. One *locus classicus* describing the process will be found in Forsyth's well known book the *Highlands of Central India* where he describes the early exploitation of the aboriginal by the money lender who financed the hill chiefs efforts to promote the spread of cultivation and by the Kolar excise contractor who paid with strong liquor for the forests which the Gond felled recklessly for railway construction and other purposes. Even before this many estates owned their origin to Muslims and others whom the Gond rulers had employed to manage distant and difficult tracts becoming proprietors of them examples are the Muslim estates of the Diwan of Seoni in Chhindwara District and the Zamindar of Gewardha in Chanda District

139. A good description of the process interrupted by the Act is given by Mr. Bell in paragraph 74 of the 1904—1910 Mandla Settlement Report.—

“The Gonds, though ignorant and unbusinesslike, are, as has been shown, the most satisfactory landlords from the point of view of the aboriginal tenantry of this district. They have little power of holding their villages together in hard times, being as a rule in unsubstantial circumstances and as will be seen presently, they have lost pretty heavily in the transfers of the past, particularly in the Dindori Tahsil, where their pigeon-like simplicity and their addiction to drink has rendered them an easy prey to the hawks always in evidence in a prolonged series of bad years. But they are almost invariably easy-going and honest landlords, and their villages are contented and prosperous in good times, and at least cheerful in bad. The remnant now left are the stronger and more wide-awake. These have so far managed to withstand the rapacity and wiles of the nondescript hordes of Kalars, Mussalmans and other adventurers who have ousted their education amongst them, but failing the general spread of expect to realise for generations to come, even these men are sadly at the mercy of the adventurer and the thief, and the process of expropriation is still going on steadily, if more slowly. Non-aboriginals, of even the more honest type, seem to stop at no depth of deceit and dishonesty in their dealings with aboriginals. Many of the transactions by which the latter have lost their villages in the past are distinctly shady, and I could cite a fair number which, if justice had her dues, would certainly have found which, if justice had criminal courts and the gaol. The old story of Esau, substituting the wine bottle for the mess of pottage, has more than once had its counterpart. Forgery is a simple matter, practically impossible of detection where the victim is a pleasure-loving and inconsequent aboriginal who cannot even sign his name. And I know of one case in which a disreputable non-aboriginal still holds a village secured by personation and perjury for which he did a term of imprisonment. It is a matter of no small significance that Kalars and Mussalmans, who have in the past held a practical monopoly of the liquor contracts, are the gainers in 109 cases of transfer, or three-quarters of the number in which Gonds were the losers. Freedom of contract and the curtailment of credit are doubtless very sacred principles not under ordinary circumstances to be lightly tampered with, but in my opinion they become mere shibboleths when applied to the relations between aboriginals and non-aboriginals. It is perhaps rather a violent remedy to suggest, but, after much consideration, I have no hesitation in advancing the opinion that the only and the proper way of saving from complete expropriation some form of legislation rendering proprietary body is by an aboriginal void except under the personal supervision and sanction of a Protector of Aborigines, who would naturally be the Deputy Commissioner.”

140 This may be supplemented by the remarks of Mr Lillie in paragraph 8 of his report on the 1927-1930 Mandla Settlement —

The ground lost by aboriginals since Settlement in small shares is 15 mahals approximately largely previous to the passing of the Land Alienation Act. The process which the Act interrupted is readily discernible in the Dindori Tahsil where it is usual to find in villages owned by Gond *malguzars* one or two small shares that have passed to non-aboriginals generally Banias resident in Mandla. Since 1916 this process by which ultimately the whole village passes to non residents has been materially checked. Whether the Gond *malguzar* is good or not for the general prosperity of his village is a question on which two opinions are possible. But to my mind the fact that he is invariably a resident cultivator and is on friendly terms with his tenants whom he treats well far outweighs his defects of improvidence and intemperance. In any case nothing can be said in support of those to whom his villages usually pass through usury, deceit and trickery. They are nearly always oppressive Banias who treat their villages on the most strict commercial lines, levy all sorts of illegal dues and have no regard whatever for tenants' rights and interests. The men to whom such villages would pass if the Act were not in force, are those to whom the small shares have already been transferred and neither I nor any Revenue Officer with experience of the district would hesitate to describe them as worst possible landlords.

141 Unfortunately for the Gond proprietor the initial policy adopted was that. As the Act is intended only for the protection of forest tribes in well-defined areas where they are being exploited by moneylenders and the like it is to be understood that the Act should be sparingly employed*. It was indeed applied sparingly. Action has in order to bring the Act into operation to be two-fold: (a) there must be a notification under section 1 (2) of the areas to which it is to be applied; (b) the tribes to whom in areas thus notified the Act is to apply must be notified under section 3. In 1917 Betul District (in two stages) the Sohagpur, Narsinghpur and Gadawara tahsils of Hoshangabad District, the Damoh tahsil of Saugor District, Mandla District and the Chhindwara jagirs were notified. Gond being notified in all these areas. Rai Gond also (unnecessarily since the generic term Gond includes Rai Gond) in the three Hoshangabad tahsils and the Chhindwara Jagirs and Korku in Betul District and the Chhindwara jagirs but not in Sohagpur Tahsil. Baiga, Dhoba and Pardhan were obvious omissions from the tribes to be protected in Mandla. Korku and Pardhan from the Sohagpur list. Pardhan and Bharia Bhumia from the Chhindwara jagirs and Narsinghpur Sub-division lists and Sawara from the Damoh list. In 1918 Korku only but not Bhil, Bhilala, Gond or Pardhan were notified in Nimar District. Gond, Raj Gond and Pardhan (but not Halba, Binharwar or Kavar) in the Gondia and Sakoli tahsils of Bhandara District. Gond, Raj-Gond and Maria (but not Halba or Pardhan) in the Garchiroli zamindari and the Ahiri zamindari of Chanda District (but no part of

*De, loc. cit., p 12; c f p 27 *ibidem*.

the *khalsa* areas of the district), and Gond and Raj-Gond (but not Pardhan, Nagarchi, Binjhwar, Baiga or Halba) in the Balaghat and Baihar tahsils of Balaghat District*. In 1920 Gond, Raj-Gond, Kavar, Tanwar and Pab† (but not Dhanwar, Binjhwar, Bhaina, Bharia-Bhumia, Majhwar, Oraon, Sawara, Kol, Baiga, Kharia, Bhuinhar, Korwa or Pardhan) were notified in the Satgarh zamindaris of Bilaspur District, but the Act was not extended to the open country zamindaris or to the *khalsa* areas of the district. Then came a lull till 1923, when the Act was in force extended also to Harda Tahsil and to the Bariam-Pagara jagir in Hoshangabad District to Gond and Raj-Gond, and there and in the previously notified Sohagpur tahsil to Korku also. Three years later, in 1926, it was extended to Gond and Raj-Gond in Seoni Sub-division (omitting Seoni revenue inspector circle, where notification would have by then been too late to save more than two or three aboriginals). In 1930 it was extended to Halba in the Sakoli tahsil of Bhandara District. In 1932 it was extended to Raj-Gond in Jubbulpore District, but not to Gond, and to Gond and Raj-Gond in all but the Katol tahsil of the Nagpur district. In 1933 it was extended to the Bilaspur tahsil to the same five tribes as had been notified in 1920 for the Satgarh zamindaris.

142 When in 1934-35 all Commissioners and Deputy Commissioners and the Settlement Commissioner were asked to give opinions on legislative and administrative measures needed for the moral and material elevation of the aboriginal tribes, several of us recommended the extension of the Land Alienation Act to all districts in which there still were aboriginal proprietors and all districts in which there mentioned in paragraph 13 of Chapter XII of the 1931 Provincial Census Report except Andh and Koli, who, it was suggested, were comparatively advanced. This led to a more systematic examination of the position, and a series of fresh notifications followed between December 1935 and September 1938 applying the Act to Raj-Gond and Baiga in Mandla District, to Gond, Raj-Gond and Korku in the Chhindwara, Amarwara and Sausar tahsils of Chhindwara, to Gond, Korku and Pardhan in the Hoshangabad and Seoni-Malwa tahsils of Hoshangabad District, to Gond and Raj-Gond in the Brahmapuri tahsil and the *khalsa* portion of the Garchiroli tahsil of Chanda District, to Gond throughout Jubbulpore District, to Raj-Gond in the Hatta, Rehli, Banda and Khurai tahsils of Saugor District, to Bil throughout Nimar District, to Gond and Kamar in the Mahasamund and Patewa revenue inspector circles of the Mahasamund tahsil of Raipur District, to Gond and Halba in the Sihawa revenue inspector circle and in the village of Khadma in the Dhamtari tahsil of Raipur District, to Gond, Raj-Gond, Kavar and Tanwar in the Janjgir tahsil and the Kanteli and Pandaria zamindaris of Bilaspur District, to Gond, Kavar and Halba in the Balod and Bhandara revenue inspector circles of the Sanjari tahsil of Bilaspur District, and to Baiga in the Baihar tahsil of Balaghat District.

*That is, the whole Balaghat district, as Waraseoni Tahsil was not constituted till later.

†Pab is a misprint in the official edition of the Land Alienation Act, p 4-A, for Pab. The mistake occurs also at page 36 of the De's commentary. The right term would be Pabia.

143 This was a distinct advance, but still there is more to be done. In the first place the notifications are unscientific in distinguishing between the main tribes and their sub-divisions e.g. Gond, Raj Gond and Maria would all be included in the one word Gond and Thanwar or Tanwar in the word Kavar or Kanwar. Secondly there are still areas where aboriginal proprietors are not protected by the Act. The question has been re-examined in the present inquiry and the following recommendations have resulted —

Saugor District—Extension to Sawara Khatulha* and Bhoi

Jubbulpore District—Extension to Gond (only Raj Gond had previously been notified) Bharia Bhumia Kol Baiga and Pathari† or Pardhan all of which tribes contribute to a total of 321 unprotected aboriginal proprietors (37 malguzars and 284 *malik maqbuza*, of which 36 and 192, respectively are Gond 1 and 53 Bharia Bhumia *nil* and 19 Kol, *nil* and 19 Baiga *nil* and 2 Pathari or Pardhan)

Mandla District—Extension to Pardhan or Pathari Dhoba Panka Bharia Bhumia Kol and Bhaina

Hoshangabad District—Extension to Raj Gond in Hoshangabad and Seoni Malwa

Nimar District—Extension to Bhilala in the whole district and to Gond in Harsud Tahsil there being no Gond malguzar or *malik maqbuza* elsewhere in the district

Betul District—Pardhan (one malguzar and two *malik maqbuza*)

Chhindwara District—Extension of the Act to the whole of Seoni Tahsil and to Pardhan to Seoni Tahsil and Bharia Bhumia in Amarwara Tahsil

Wardha District—There are one Gond malguzar in Hinganghat Tahsil 12 Gond and five Pardhan *malik maqbuza* in Wardha Tahsil and 82 Gond and two Pardhan *malik maqbuza* in Hinganghat Tahsil. The Act should be extended to the district and to Gond and Pardhan.

Nagpur District.—The Act should be extended to Katol Tahsil also and to Pardhan to cover the few Pardhan *malik maqbuza*.

Chanda District—There are villages owned by aboriginal malguzars in Garchiroli *khalsa* (70, of which only three are not owned by zamindars) in Chanda (2) and in Brahmapuri (3), and a number of aboriginal *malik maqbuza* especially in Sironcha Tahsil. But the Deputy Commissioner and Commissioner think extension unnecessary as the zamindars are protected by their *sanads*. The *sanads* however do not protect their malguzari villages. Actually Gond and Raj Gond are already protected in the Garchiroli *khalsa* in all the zamindaris and in Brahmapuri. Therefore the Act should now be extended to all the districts and to Gond Maria Raj-Gond Pardhan and Halba

*Khatulha and Bhoi are only local sub-divisions of Gond

†Pathari is a name applied in some Hindi districts to Pardhan.

Bhandara District.—No recommendation was made, but there are in Bhandara Tahsil seven Gond malguzars and 34 Gond *malik mahbuz*, and a Halba malguzar in Gondia Tahsil. The Act should be extended to Gond in Bhandara Tahsil and to Halba in Gondia Tahsil.

Balaghat District.—Extension is not recommended but there are besides the Gond and Raj-Gond proprietors of Balaghat and Bathar Tahsils and the Baiga proprietors of Bathar, all of whom are protected by previous notifications, nine Pardhan malguzars, a Binjwar malguzar and a Nagarchi *malik mahbuz* in Balaghat Tahsil and 22 Gond and 1 Binjwar *malik mahbuz* in the unprotected Waraseoni Tahsil, they have lost 46 acres out of 105 since 1897-98. The Act should be applied to Waraseoni Tahsil and to Gond, Raj-Gond, Baiga, Pardhan, Binjwar and Nagarchi throughout the district.

Raipur District.—No recommendation is made.

Bilaspur District.—"Pali" printed against serial no 8 on page 1-A of the official edition of the Land Alienation Act is a misprint for Pab, which is the same as Pabia (see page 111). Pab have already been protected (serial no 11), and serial no 8 should be amended accordingly. The Act should be extended now to the whole district to the tribes already protected in the Satgarh estates, and to the other local aboriginal tribes.

Drug District.—No recommendation.

144 Notable omissions from the list of areas now protected are all the zamindaris of Raipur and Drug Districts, save that parts of the zamindaris in Sanjari-Balod tahsil come in the Balod and Bhandara circles where Gond, Kanwar and Halba are protected. This exclusion of the zamindaris, which include four Partially Excluded Areas in Drug District, is in contrast to the extension of the Act to the chief tribes in the zamindaris of Chanda and Bilaspur and the Chhindwara jagirs. The local officers have taken the view that in Raipur and Drug the condition in the zamindari *sanads* prohibiting alienation is enough protection, as the Act in their view did not affect tenancies. Yet the same condition applies also to the Bilaspur, Chanda and Chhindwara estates which on the recommendations of other officers were notified. [Admittedly it does not apply to the Bhandara and Balaghat zamindaris, the extension of the Act to which has given the necessary protection to aboriginal zamindars who before were fast losing their estates (see, for example, paragraphs 103-4 of *The Aboriginal Problem in the Balaghat District*)] It is moreover overlooked that even though an aboriginal zamindar may not legally alienate his estate under his *sanad*, he can and does virtually alienate those villages which he leases out for more than 20 years or in which his lessees acquire protected status, and that, as pointed out in various passages in the discussion of loss of tenancy land in the various districts*, if the estates of an aboriginal zamindar in a district is protected by the Act, then new

*See, e g., for Chhindwara jagirs, paragraphs 73 and 78, for Raipur zamindaris, paragraphs 92 and 94, for Bilaspur zamindaris, paragraph 104, and for Drug zamindaris, paragraph 108.

tenancy rights in favour of tribes, castes or communities not protected by the Act in that area are illegal without the sanction of the Deputy Commissioner. Such creation of new tenancies is in the opinion of the legal advisers of the Government permanent alienation within the meaning of the Act and instructions to that effect have issued to district and registration officers. A discussion of the point will be found in the paragraph on occupancy rights on page 20 of De's Commentary on the Act. In the framing of rules under the Act this point has always been lost sight of. It is a valuable means of protecting aboriginal tenantry in the predominantly aboriginal villages of estates as also in all aboriginal-owned villages if it is enforced. But it will conflict with long usage in several estates owned by aboriginal proprietors but having in all or some of their villages only a few aboriginals. For example the Sansthanik estate of the Gond Raja of Nagpur is protected under the Act but in most of his villages 90 per cent of his tenants must be non-aboriginals and it would be wrong to expect his *kamdars* to refrain from recognising transfers of land from non-aboriginal to other non-aboriginal tenants if indeed he could legally refuse to do so under the revised sections 6 and 12 of the Tenancy Act otherwise than by proceeding under revised sections 6-A, 12-A and 13 of that Act. The possibility of conflict between these new provisions of the Tenancy Act or the old sections which they replace or supplement and the provisions of the Land Alienation Act has not before been considered to my knowledge. In the Partially Excluded Areas the old sections 6, 12 and 13 remain in force.

145 Probably it may be right to hold that once a tenancy has been created and is transferred under the new or old Tenancy Act provisions without the intermediate stage of surrender to the landlord there is so far as the landlord is concerned no new alienation. He alienated the cultivating rights when the transferring tenant or his first predecessor in title first became the tenant of the holding or was first recognised as such. If however a surrender intervenes before the land is regranted even if the surrender is nominal only and accepted by the landlord in collusion with the surrendering tenant and the tenant-designate for a short space of time the land surrendered becomes technically the full property (i.e. in respect of both proprietary and cultivating rights) of the landlord who re-alienates if he creates a new tenant. Here the Land Alienation Act would apply. It may prove necessary in certain areas where the Act applies to large aboriginal owned estates and villages to exempt the proprietors from the prohibition of permanent alienation in respect of all lands of non-aboriginal or unnotified aboriginal tenants in any village where aboriginals form less than half of the inhabitants (or if it be an uninhabited village the cultivators).

146 I have secured from the Legal Remembrancer confirmation of my view that in areas to which the Land Alienation Act applies as the creation of a new tenancy right constitutes a permanent alienation within the meaning of section 4 of the Act and as therefore the Deputy Commissioner's sanction is always required by law to make the alienation valid unless the new tenant is a member of a tribe which in the area concerned has been

notified under section 3, consequently in any area where there are big zamindaris or many villages held by aboriginals notified under section 3 it is necessary so to notify also all aboriginal tribes of the locality, even though they hold no land in proprietary right. Thus in the Chhindwara and Hoshangabad districts Bharia-Bhumia, perhaps the most "primitive" of all the local aboriginals, have so far not been notified under section 3, consequently, in law, whenever for example the Gond jagirdar of Batkagarh, whose community has been so notified in the Chhindwara jagirs, gives out new tenancy land to a Bharia-Bhumia or recognises him as tenant of land which he has broken from waste, the Deputy Commissioner's sanction is legally necessary under section 4. It follows therefore that Government must abandon the old practice of not notifying a tribe in a locality merely because it has no proprietary land in that locality.

147 From this particular point of view and from the general point of view advocated in this report that the aboriginal land-owner and cultivator should everywhere be protected, be he malguzar, zamindar, plot-proprietor, tenant or ryot, as a first instalment of the changes needed we should at once give up the practice of applying the existing Land Alienation Act to selected localities and selected tribes. It should now by two general notifications be applied to the whole province under section 1 (2) of the Act and to all aboriginal tribes throughout the province under section 3, as well as, in Mandla District, to Panka and Dhoba as recommended by the Deputy Commissioner, and in Bilaspur District to Pab or Pabia as at present, Panka (for whose status in Mandla District please see paragraph 111 of my *Notes on the Aboriginal Problem in the Mandla district*) and Pabia are quasi-aboriginals only, and conditions do not appear to warrant the protection of Panka outside Mandla or of Pabia outside Bilaspur. Dhoba are an aboriginal tribe, but confined practically to Mandla District, and their inclusion in the general list would lead elsewhere to confusion with Dhobi. The tribes to be included in the general notification should be those given in the instructions issued for the loss of aboriginal tenancy land enquiry*, and also the following smaller communities: Arakh, Asur, Bhimma, Dholi or Dhulia (Mandla and Bilaspur only), Kalanga, Manne or Mannewar, and Naikar. Draft notifications are given in Appendix A, in case these recommendations are considered too sweeping, I give in Appendix B alternative drafts designed to cover the latest recommendations from districts as edited in paragraph 143 above.

148 The Act as it stands is a difficult Act, hard for district officers to understand and to administer, even when one meets the somewhat exceptional officer who fully sympathises with its objects and sets out to master it. There would be less neglect of this Act and of the even more neglected rules under it if, instead of being printed in a separate, easily mislaid pamphlet, they were contained in the first volume of the Revenue Manual and a comprehensive Circular on the Act were added to the second volume. In its drafting the Act follows perhaps too

* See foot-note to paragraph 22

closely the Bundelkhand Land Alienation Act, 1903 (U P Act II of 1903) which did not confine its benefits to aboriginals. What are first needed are clear instructions to Deputy Commissioners as to the policy to be followed in administering it. The preamble to the Act merely recites: Whereas it is expedient to amend the law relating to the alienation of land in the Central Provinces yet the important rule 13 made under section 27 laying down mandatory instructions regarding sanction of alienation speaks of transfers made for the purpose of evading the Act and of sanction being given consistently with the objects of the Act. The objects have to be inferred from the Legislative Council proceedings. In my view a Circular is necessary which should open with a statement of the objects of the Act and the policy to be followed. The objects should briefly be stated as the prevention of further loss of land by aboriginals throughout the province. It is desirable also to stress the view that in dealing with transfers of proprietary shares it is axiomatic that aboriginal tenantry prosper more and are happier under an aboriginal land lord resident in the locality than under a non aboriginal always virtually alien to the tenantry and generally non resident. In a recent case that came to my notice a Deputy Commissioner (in my opinion rightly) reviewed an order of his predecessor transferring to a retired Muslim forest ranger one of the few proprietary shares remaining in aboriginal possession in a Partially Excluded Area. He viewed the Land Alienation Act as specifically designed to stop the transfer of land from aboriginal ownership so that no special weight should be attached to the so-called willingness of the transferor and that sanction of alienation should be exceptional and never a mere formality. The Commissioner who set aside his order criticized it as ill advised and unnecessary because he considered that the transfer would have saved the Gond's share in another village which otherwise would have been sold for arrears of land revenue that the Gond would have ample means left for the support of his family was neither ignorant nor jungly but fully realised his rights and definitely wanted the transfer and that no aboriginal purchaser was forthcoming. Actually the sale had been completed without sanction and the Deputy Commissioner had under section 14 of the Act in his review order directed that it should take effect as an usufructuary mortgage with possession for 10 years a position from which the mortgagee could not have escaped and by which the Gond might well have saved his remaining property. That this malguzar was not the sophisticated person of the Commissioner's opinion is clear from the fact that he has later been found to have given some two or three years ago a contract to a Muslim forest contractor to cut down and remove 500 trees in two years from his malguzari forest for Rs. 110 only he had no copy of the document and could not have understood it if he had as he could barely sign his name. The document when procured from the contractor was merely a receipt for Rs. 110 without mention of period or number of trees and the contractor had gone on felling after the two years had elapsed and had removed forcibly several hundred more trees. It was precisely to save such simpletons that the Act was designed. Even under the Land Revenue Act sale of a defaulter's village is not the only way of recovering arrears and this could have been taken under management.

149 The following summary of a scrutiny of cases under the Land Alienation Act dealt with in the Chhindwara district in three fairly recent years will illustrate the kind of mistakes commonly made. It may be observed in passing that the resident Sub-divisional Officers of Seoni, Damoh, and Narsinghpur, though generally young and inexperienced civilians, exercise the full powers of Deputy Commissioners in these difficult cases —

Seoni Tahsil —(a) A Raj-Gond non-resident *malik-makbuza* asked for leave to sell 21 69 acres *malik-makbuza* land in mauza Gorakhpur (patwari circle 41) near Ugli. His residence was at Aloni Khapa *alias* Lakhpar ryotwari village (patwari circle 30) 12 miles or so away. The Sub-divisional Officer permitted sale of 9 33 acres to a Powar of Gorakhpur. No enquiry was made into the *bona fides* of the sale, or the price. sanction was given because the applicant said it was too far from Lakhpar to cultivate and to enable him to buy other land, but it was not seen whether he bought other land or what family, etc., he had. The case was superficially treated in disregard of rules 13 (1) (a), (b) and (iii) and 15.

(b) The mortgage of 12 villages of a Raj-Gond Thakur whose estate was under the Court of Wards to the Muslim Diwan of Seoni, also under the Court of Wards, without possession, was to be revised under section 9 (1) of the Act in a form permissible under section 6 (1) (b). But though under the latter provision the maximum time for which the mortgagee may be placed by the Deputy Commissioner in possession is 20 years, the mortgage drawn up allowed 25 years.

(c) The Sub-divisional Officer permitted a Gond widow to sell a 3 pies share of mauza Dudhia for Rs. 180 to a Kurmi out of $1\frac{1}{2}$ anna share, to enable her to buy bullocks and improve her fields. She retained the *su* lands. She had no debt. Her land revenue was Rs. 60, and her tenants paid her Rs. 31. The Sub-divisional Officer's procedure was superficial. He did not enquire who the remaining *malguzars* were or see whether there was any aboriginal to whom the transfer might in accordance with the Act be made, and who was prepared to offer a fair price for the land, nor was it considered whether the transfer would be in accordance with the objects of the Act.

(d) The Sub-divisional Officer permitted the Gond *malguzar* of Sindaria to mortgage Re. 0-2-0 out of a Re. 0-4-0 share as security for a Rs. 100 loan. Sanction was not needed so long as the mortgage was in one of the forms permitted by section 6. But it was given without mention of the form. Nor was the Sub-Registrar asked to check the mortgage, when it came to him.

(e) The same Gond *malik-makbuza* as in case (a) was two years later allowed by the Sub-divisional Officer to sell another 12 36 acres (the entire balance) of his *malik-makbuza* land in Gorakhpur to a Behra. He has also absolute occupancy land rented at Rs. 50-8-0 at mauza Bihari, patwari circle no. 43, and ryotwari land assessed at Rs. 59 in Aloni Khapa ryotwari, of which he is the patel.

His reason was the distance of Gorakhpur from Aloni Khapa and inability to provide seed and bullocks for all but actually Bibhari is much farther away while Gorakhpur is the next village to Ugli with a good Public Works Department road nearly all the way from Aloni Khapa to Ugli. Rule 13 (i) (b) was entirely disregarded and the permission given as routine without a single statement being recorded.

(f) The Sub-divisional Officer allowed a Gond and his two brothers who owned Re 0-2-0 of mauza Sarra Hirra with 55.30 acres of *sir* land and 1.22 of *khudkasht* to sell to two Kurmi brothers who already had a Re 0-1-0 share Re 0-1-0 out of their Re 0-2-0 without *sir* or *khudkasht* to wipe out Rs 250 due under a debt conciliation agreement. But this still left Rs 150 debt the land that remained was small for three brothers and no effort was made to see whether any local aboriginal would buy the land. rule 13 (i) (b) and (iii) were thus neglected. This transfer is one of the very kind to defeat which the Act was passed.

Lakhnadon Tahsil—(a) Thakur Sheo Singh of Dhuma was allowed to sell Sahasna village to a Kayasth in settlement of a debt of Rs 4934 27 said to be his sole debt. Actually he holds several villages and with good management could easily pay off his debts. He could also have had recourse to debt conciliation. The proceedings were extremely superficial. Though permission to sell should have been refused it was granted as a matter of course. The Thakur's own agent had suggested permission to lease in lieu of sale. The next two cases affecting the same Gond Thakur came in the following year.

(b) The Sub-divisional Officer on June 4th 1938, permitted Thakur Sheo Singh Raj Gond of Dhuma to sell 16 annas superior malguzari right over mauza Barbat for Rs 800 in cash to pay land revenue to Pandit Ramlal Tiwari of Dhuma a moneylender. The proceedings were farcical—in complete disregard of the purpose of the Act and of rules 13 and 15 under section 27. Sanction to sell to a moneylender should not have been given under rule 13 (ii). The total indebtedness of the alienor was said to be Rs 10 000. This was not verified. No effort was made to see who the inferior proprietor was or to sell to him or to any aboriginal. It is not clear if the permission was endorsed on the document before registration [section 18 (2)]. The order says He has about 40 villages and pays land revenue Rs 5 000. He is indebted Rs 10 000 as he says. Obviously he can't manage his villages and must lose them one by one. He can find out various ways to lose them even though the Act fastens upon him. It is therefore no good restricting his actions at this stage. (In other words the Sub-divisional Officer says the Act is useless and so disregards it!) He is selling the superior proprietary rights of Barbat village from which he gets Rs 35 as proprietary profits for Rs 800 in cash. The price is adequate and therefore sanction to the sale is accorded under section 4 of the Land Alienation Act. I have now informed him that

it is no good applying for sanction piecemeal. He should make some arrangement by lease to enable him to clear off his entire debt. He could even sell some villages if he can be free from debt."

(c) The same Sub-divisional Officer permitted the same Thakur Sheo Singh to sell 10.43 acres of his *vir* land in mauza Dhuma without reservation of occupancy rights. No enquiry was made, and permission was given as a matter of course. The price was Rs. 250 and the purchaser a Brahman of Dhuma. Another mistake was giving permission to alienate *vir* without reservation of occupancy rights—a Tenancy Act case—in Land Alienation proceedings.

(d) The Sub-divisional Officer allowed a Gond *malik-makbuza* leave to sell 1.80 acres *malik-makbuza* land, land revenue Rs. 1-12-0, to a Mahra for Rs. 40 to meet his daughter's wedding expenses. He had also 36.13 acres occupancy land. Permission should have been refused. Rs. 40 is too much for the bride's father's expenses in a Gond wedding and alienation of this kind for ephemeral purposes is one of the very things the Act is intended to prevent.

(e) The Sub-divisional Officer on a reference from the Civil Court under section 17, acting under section 19 executed a usufructuary mortgage under section 6 (1) (a) of a 4 annas share of mauza Borgaon in favour of some Kalar mortgagees. He found that 2 annas of the 4 annas share had been sold in 1926 to one of the Kalars without permission under section 4, and therefore converted the sale into a usufructuary mortgage. The case was well handled.

Amarwara Tahsil—(a) The Civil Court referred a decree on a pre-Act mortgage under section 17. The Deputy Commissioner rightly ordered a mortgage with possession of 2 annas 8 pies share of the village for 10 years, apparently under section 6 (1) (b). This was not stated, nor does the record show that the Deputy Commissioner executed the mortgage under section 19 (2).

(b) A junior Deputy Commissioner, on the recommendation of the Debt Conciliation Board and the Sub-divisional Officer, sanctioned transfer of a half-anna share of mauza Khairi (leaving the Gond transferees $1\frac{1}{2}$ anna share) in full satisfaction of a debt of Rs. 716, due to a Brahman money-lender. This was perhaps justifiable, yet this sanction overlooked rules 13 (i) (b) and (ii).

(c) The same Deputy Commissioner similarly sanctioned sale of half of a 4 annas share of a mahal by a Gond to his creditors on the recommendation of the Debt Conciliation Board. Again rules 13 (i) (b) and (ii) were overlooked.

(d) An experienced Deputy Commissioner sanctioned creation by a Gond *mokasdar* in Harrai Jagir of occupancy tenure over 44 acres of *khudkasht* (mauza Salaiya) in favour of a Chhipa shopkeeper of Harrai, to enable the *mokasdar* to pay his sub-takoli to the Jagirdar. The Jagirdar was not examined. Rule 13 (1) (b) was overlooked. It was not

desirable to introduce this non aboriginal shopkeeper as a tenant into an aboriginal village. This case was reported on the Inspector of Registration.

(c) Another Debt Conciliation Case. The details are not given as the order refers to reasons given in the sir transfer case under the Tenancy Act, a 3-pie Gond share was transferred to a Banjara with 4.98 acres sir.

(f) The Deputy Commissioner sanctioned a Gond malguzar creating a new occupancy tenancy in favour of a Kalar over land surrendered by another Kalar. The Inspector of Registration had reported that the lease-deed contravened section 4.

(g) The Deputy Commissioner sanctioned alienation of Re 0-1-6 of mauza Hirri Mokasa from Gond co sharers to Amarwara Bania moneylenders in return for a debt calculated at about Rs 3 000 on a mortgage deed of Rs 1 300 at 15 per cent interest entered into in June 1929. This left the Gonds a half anna share and about 17 acres of *khudkasht* to support a widow, her son and his two sons (aged 22 and 6). This being a secured debt under the Relief of Indebtedness Act which came into force on July 18th 1939, 6 or 7 weeks after the Deputy Commissioner's order, probably only 7 per cent simple interest would have been allowed and so only Rs 2 483 would have been awarded. It was not beneficial to the Gonds and contravened rules 13 (i) (a) and (b) (ii) and (iii). Unfortunately when the mortgage had been executed in 1929 the Act had not been applied to Amarwara Khalsa.

Sausar Tahsil—(a) The Gond lambardar of Maya was allowed to lease out occupancy rights in 6.28 acres of *khudkasht* recently surrendered by Gonds to a Muslim Pinjari. This was sanctioned as a matter of course and it was not seen whether the other tenants of the village were predominantly Gond or whether the Muslim tenant in a Gond village was desirable (this points to the need of special instructions). But the sanction contravened rule 13 (i) (b).

(b) The Deputy Commissioner in a case arising from debt conciliation proceedings sanctioned sale of 2 out of 4 annas of mauza Nagalwadi from Gond to Kunbi malguzars. The Gonds had mortgaged this before the Act was applied (in 1936) to Sausar. The case was conducted with full observance of rules 13 and 14 under section 27 of the Act.

Chhindwara Tahsil—In one case the Deputy Commissioner gave sanction when no sanction in law was necessary as the land sold was absolute occupancy land to which the Act did not apply, the transferor being the tenant, not the proprietor.

150. It will be seen that in these 21 cases there were only three or possibly four, cases in which the Act and the rules were correctly followed. There was hardly one case in which the Deputy Commissioner personally held enquiry, though it is desirable that in such cases he should at least examine the parties and

only call for reports on specific points. There is also a tendency to accept applications from pleaders to be allowed to appear under section 23 of the Act as a matter of course. In certain cases the Revenue Officers abdicated to the Debt Conciliation Boards the functions of the Deputy Commissioner under the Act, the mere recommendation of a Board could not override statutory rules under section 27 of the Act. The three cases in which the Thakur of Dhuma was allowed to sell property were shocking cases of complete disregard of the Act. This big estate has probably been under Court of Wards management in the past, but the debts could certainly be settled by proper management of the estate, especially if they are under Rs 25,000, in which case an application could be made to the Debt Relief Court. Such piecemeal granting of permission to sell a village here, some ~~su~~ land there, and superior proprietary rights elsewhere, can only result in the ultimate disappearance of the estate, besides being contrary not only to all the objects of the Act, but also to all the principles of administration by which aboriginal landowners have been prevented from mismanagement of their property in the past. Judging from the experience of revenue appeals in the Jubbulpore and Nagpur Divisions, a similar scrutiny in other districts of the province would yield similar results.

151 Another common experience is the ignorance of the Civil Courts of the provisions of the Act affecting their procedure, notably sections 9 (3), 16, 17, 19 and 25, though there has been improvement as regards sections 19 and 25 in recent years. One form of mistake is still common however, Sub-Judges who pass decrees under section 17 or 19 instead of referring the cases to the Deputy Commissioner for action under section 19, send them to the Sub-divisional Officer, as though they were ordinary cases for execution of decrees for sale of landed property, with C Forms under Revenue Book Circular III-8, and fail to send Deputy Commissioners copies of the decrees in accordance with section 25 of the Act. Specific instructions seem necessary to cover this point in Revenue Book Circular III-8. The attention of the Revenue Department was drawn to this in 1940.

152 The suggested circular explaining the Act and rules would help Deputy Commissioners considerably if it contained specimen mortgages in each of the forms permissible under section 6 of the Act.

153 One major question needs careful consideration. Under sections 11 and 12 of the Act leases for periods of twenty years to non-aboriginals are permissible without sanction. Experience has shown everywhere that in the predominantly aboriginal tracts this leads to the imposition upon aboriginal tenantry of alien temporary lessees bent on making what they can out of the village in the period of their possession. Moreover, as has been seen in the notes on districts in chapter III, the Court of Wards, especially in the Chhattisgarh zamindaris, carries on the practice of managing villages through *thekedars*, and is not particular whether the *thekeदार* of an aboriginal village is an aboriginal. I have not any doubt that the ideal system in these big zamindaris is *kham* management through a village headman and that every opportunity should be taken of re-establishing

this system and of getting rid of those *thekedars* who have not secured protected status. In the past several zamindars did what they could to get rid of *thekedars* before they could secure protected status not in the interests of the tenantry but in order that they might from time to time secure for themselves *nazaranas* for fresh leases of the villages. The cases described in paragraphs 108 to 115 above from Panabaras Zamindari which has long been under Court of Wards management give several instances of typical *theke-dari* oppression. One of the most beneficent reforms introduced in Bastar State was the abolition of the practice of giving out villages on *theka* and I am certain that this should be the objective now for all aboriginal villages in the zamindaris exception being made only in favour of the rare *theke-dar* who is really doing something to develop the village and qualifying for protected status. The protected headman system introduced first in the Bilaspur zamindaris after Mr Wills' investigations in the 1906-1912 settlement is a sounder system than protection of *thekedars* but unfortunately outside Bilaspur it has only been employed in the Suarmar zamindari of Raipur the Ambagarh Chauki zamindari of Drug and the Potegaon zamindari of Chanda. The notes on the Panabaras villages have shown the confusion in the past between the position of the Maria headmen who founded the villages and the *theke-dari* status and how the latter was forced upon the headmen. It may be impossible now in many of the estates to revert to the truer conception of the villages being managed *kham* or direct through a village headman with or without protected status and as the last Raipur and Drug Zamindari Settlement Report shows once a headman is declared protected there is very little difference between the official conception of his position and of that of a protected *theke-dar*. What is really needed therefore is a recognition that in the big zamindaris the real village system is ryotwari and not *malguzari*; the sole difference between ryotwari villages in zamindaris and in *khalsa* being that in the former the Zamindar roughly speaking occupies the position of the Tahsildar.

154 Whether however this change of policy be carried into effect or not the period of twenty years for temporary leases now permissible without sanction under the Land Alienation Act is too long. In my view permission should be required for any term exceeding ten years and a lease should be subject to termination by the Deputy Commissioner if the lessee is found to be mismanaging the property or oppressing the tenants. It should also be made perfectly clear that as regards the recognition of new tenants during the period of the lease the non-aboriginal lessee has only the rights of the aboriginal proprietor from whom he leased the village so that the grant of land to any non-aboriginal tenant which amounts to a permanent alienation of a residuary right of the aboriginal proprietor must only be made after the Deputy Commissioner's sanction has been obtained.

155 An important amendment needed to the definition of land in section 2 (2) of the Act is mentioned in paragraph 170 of the next Chapter in connection with transfer of house sites in Berar. This change is desirable even in the present Act.

CHAPTER V.—LOSS OF LAND IN BERAR

156 There is a tendency to think of the Melghat as the only aboriginal tract in Berar. Berar actually had in 1941 a tribal population of 274,112* if the unpublished table XIII of the 1941 census is correct, I enter this caveat because the tribal population is shown as having decreased by 24,171 since 1931, and though there has been some migration of Korku from the Melghat into Nimar, the aboriginal population of the Melghat has increased by nearly 2,000. Of this Berar aboriginal total, only 35,528 are found in the Melghat. In the rest of Amraoti District there were in 1941, 26,675 aboriginals, in Akola District 34,028, in Buldana District 19,387, and in Yeotmal District as many as 158,494. The figures show falls of 8,194 in Amraoti, 8,296 in Akola, 5,435 in Buldana and 2,246 in Yeotmal. I doubt whether there has been an actual fall and should suspect the difference to be due to conscious or unconscious change in classification. In 1931 aboriginals constituted 75 per mille in Amraoti District, 48 in Akola District, 32 in Buldana District and 187 in Yeotmal District. In the Melghat the 1931 proportion was 707 per thousand, and the figure would actually have been higher had certain minor aboriginal castes been separately enumerated, the chief of which is the Nihal or Nanal caste, some 4,000 strong. In Morsi Taluq there are similarly a number of Arakh and Lajhar. In Yeotmal District aboriginals constituted, in 1931, 300 per mille of the population in Kelapur Taluq, 225 in Wun Taluq, 214 in Yeotmal Taluq, 135 in Pusad Taluq and 97 only in Darwha Taluq. The main aboriginal castes of Berar are Gond [96,853], Andh [58,519], Korku [36,361], Koli [37,709], Kolam [29,515], and Pardhan [23,191], the bracketed figures are the 1931 Berar totals for each of these. 5,199 persons were enumerated as Dhanwar in the Jalgaon and Malkapur Taluqs of Buldana, but in the present enquiry the Tahsildar, Jalgaon, could find no trace of them and suggests that the 1931 figures were a mistake for Dhangar. There were also in Berar 5,225 Bhil. The Korku are almost all in Amraoti District save for a few in the Melghat villages of Akot and Jalgaon Taluqs, and of the 33,869, in Amraoti District, 30,273 in 1931 were in the Melghat. In Amraoti District 35,400 persons in 1931 spoke Korku as their mother-tongue, the surplus over the district Korku population representing the Nihal element that speaks Korku. Of the Gond 69,013 were in Yeotmal District, 23,654 in Amraoti District and 3,806 in Akola District. All but 786 of the Pardhan were in Yeotmal District. In Amraoti 20,333 persons spoke Gondi as their mother-tongue and in Yeotmal 60,747. Practically all the Kolam are in Yeotmal District, where, in 1931, 25,647 persons spoke Kolami as their mother-tongue. These statistics of tribal languages are important, as it is frequently suggested that the aboriginals in Yeotmal District are so advanced as to need no protective measures. Of the Andh, reputedly more advanced than the Gond and the Korku, 30,699 were in Yeotmal, 23,118 in Akola and 4,680 in Buldana. About 33,000 of the Koli are fairly evenly divided between Amraoti, Akola and Buldana Districts,

*The statistics in this paragraph are of aboriginals only and do not include the backward or *quasi-aborigina* castes notified in the Melghat under section 66, Berar Land Revenue Code

the remaining 4,700 being in Yeotmal. For this statistical enquiry about aboriginal land I took notice of but did not accept the view that the Koli and Andh are now sufficiently advanced to look after themselves without special protection in the light of the information available to me and my experience of the Andh in adjacent districts of the Nizam's Dominions. Figures for Andh and Koli affect the statistics in the Yeotmal part of the enquiry only.

157 During the preliminary 1935 enquiry into the measures needed for moral and material elevation of the aboriginals of the province the Commissioner of Berar wrote as follows —

Those who are acquainted with Berar always think of the Korku as the principal aboriginal caste in it but from the statement it will be seen that he is far outnumbered by the Gonds the principal aboriginal caste of the Central Provinces and that there are several other numerically important tribes of which the Andh a tribe almost peculiar to Berar also slightly exceeds in numbers the Korku. The reason that attention has always been centred on the Korku is that this tribe alone inhabits a well defined and comparatively primitive tract whilst the remaining tribes are mostly to be found scattered throughout the plains of Berar and competing with the Hindu population if not precisely on terms of equality at least as effectively as the depressed classes of Hindu society. They have it is true retreated before the Aryan invasion to the hillier tracts and the poorer soils and it is for that reason that they are found in the greatest numbers in the south of the Yeotmal District. In that district particularly entire villages of one caste usually of Andhs, Gowaris or Kolams are to be found. Like most aboriginals who have come to rely for their subsistence entirely or almost entirely on cultivation they are if anything more industrious than their Hindu and other neighbours. Their habits are simpler chiefly because their opportunities of acquiring wealth are fewer. But they have in the course of time assimilated many of the customs and modes of life of the invading population. Some of them especially the Andhs are often difficult to distinguish superficially from Hindus. And so far as my personal enquiries go to show, they are not losing ground in the struggle for existence. They have never been specially protected even by such measures as the Central Provinces Land Alienation Act which has been applied to their brethren across the border nor even if it were practicable does protection seem to be required. They are enfranchised both for local self government and the legislatures, on the same terms as everywhere else and if they never in actual practice return a member from any of their castes even to the local boards they are no worse off than the depressed classes nor even than many of the smaller Hindu castes. Those of them that have separate languages of their own such as the Gonds and Kolams do not even appear to suffer from the fact that education is not imparted in those languages. But these conclusions are not applicable to the Korku or to the tract which he inhabits in the Melghat. So far as I know

there is no race in the whole province which has shown itself so incapable of adapting itself to civilisation, or of withstanding its impact. The characteristics of the Korku are timidity and laziness, coupled with that arcadian simplicity and honesty which disappear so quickly when Arcadia is invaded by the hordes of civilisation, in the face of which it is a weakness and not a source of strength. A signal example of this primitive virtue and of the folly of possessing it came to the notice of the Sub-divisional Officer, Ellichpur, in whose charge the Melghat lies, only a few days ago. He was enquiring into the transactions of a foreign moneylender with the Korkus, and eventually extracted several blank promissory notes which the Korkus had signed on the assurance that he would enter in them whatever was right and proper. No better proof could be given of the need of such people for protection. Many more instances could be quoted, but one from my own experience will perhaps suffice. In 1929 in a village on the borders of the Burhanpur Tahsil, where the Korkus are more advanced and wealthier than in any other part of their domain, I came on a Korku who owed to a moneylender a capital sum which, according to the latter's account, amounted to Rs 400. As interest on this sum the debtor gave his whole time to work as a labourer for his creditor without remuneration, leaving the rest of his family to earn sufficient for their and his support. The creditor refused ever to accept part payment of the debt, and insisted that the whole must be paid in one lump sum. The Korku when asked how he would escape from his bondage had only one hope, and that was that his son, then about 12 years old, would in a few years grow up and take his place."

158 The results of the enquiry into the loss of land by aborigines in Yeotmal and in the Morsi Taluq of Berar in this chapter will perhaps show that the Commissioner was wrong in supposing that outside the Melghat the aborigines were not losing ground in the struggle for existence, so that some land alienation measure is necessary for their protection also. Nor can any one who has the interests of the aborigines at heart welcome the suggestion that they are no worse off in Berar than the depressed classes. The Commissioner's letter after a long discussion of conditions in Berar, held that except in the Melghat the aboriginal does not need special protection, while in the revenue villages of the Melghat his recommendations were—

- (1) inalienability of land tenures, rigidly administered,
- (2) priority for the aboriginal in allotment of land,
- (3) insistence on the use of Hindi and not Marathi as the official and educational language,
- (4) provision of more schools, and
- (5) legislation to secure priority to the aborigines in appointments as village officers

159 In fact, in Berar the loss of land by aborigines has attracted little attention except in the Melghat Taluq and the villages transferred from it in 1912 to adjacent taluqs of Berar where rules under sections 53 and 66 of the Berar Land Revenue

Code seek to regulate both the allocation and the transfer of right in land so as to prevent it passing out of the hands of aboriginals. The term aboriginals in this connection is not wide enough. Section 66 of the Code speaks of Gonds Korkus or other backward castes or tribes and notification no 466-XII of the 20th April 1929 under section 66 of the Code in addition to Gond Korku and Korku Christians and the Bhil Nihal Pardhan Moghia and Bhuta aboriginal tribes notified the backward Balai, Mahar Gaolian Gaoli Gowari Gosai, Chamar, Mang and Banjari castes. Rules 4 and 5 under section 53 of the Code make special provision for the priority in the grant of unoccupied land in the ex Melghat villages to the members of the aboriginal tribes and backward castes detailed in the notification. But the Melghat and the ex Melghat villages contain only about 35 000 of the three lakhs of aboriginals in Berar. Yeotmal District as we have seen has more than 160,000 aboriginals*. There still remain several aboriginal proprietors and tenants of alienated villages and occupants of *khalsa* villages. It seemed to me that it would be surprising if the same causes that had led to the enactment of the Land Alienation Act in the Central Provinces and of the special provisions of section 66 of the Land Revenue Code for protection of aboriginals from expropriation in the Melghat were not also operating in other parts of Amraoti and in Yeotmal District. In Akola and Buldana Districts aboriginals are so few and so scattered except in the few ex Melghat and adjacent villages that it was not thought worth while to make any enquiries there except in the villages mentioned below.

Existing restrictions on alienation of aboriginal land in Berar

160 *Alienated villages*—The only restrictions on transfer of aboriginal holdings are those applied to occupants' holdings and *gaonhan* sites in the present Melghat Taluq and to the former only in the villages transferred from the Melghat to Ellichpur Darya ur Akot and Jalgaon Taluqs in 1912, by section 66 of the Berar Land Revenue Code and notifications thereunder. These rules printed at page 49 of the Berar Revenue Manual Volume I permit the Sub divisional Officer in the transferred villages to allow an aboriginal occupant (a) to lease for not more than 10 years to a *bona fide* agriculturist surplus land in a large holding or land which for some temporary disability or cause the lessor himself cannot conveniently cultivate (b) to sell mortgage or gift his holding if the transferee is a *bona fide* agriculturist or a member of his own family or if the holding is one a right to transfer which was specifically recorded at settlement or (c) with the previous sanction of the Deputy Commissioner to alienate his holding in any other manner. These rules merely apply to the transferred villages the provisions of rule 9 of the *gaonqaida* for villages in the present Melghat Taluq which itself is framed under section 66 of the Code.

*These figures are of true aboriginals only and exclude the backward castes notified under section 66 Berar Land Revenue Code.

them the landlord can pre-empt (section 43). Such tenants are protected from ejectment by the landlord (section 44). The rights of 'permanent' tenants pass by succession according to personal law [section 48 (1)] and are exempted from Court sales except in pursuance of a transfer permitted by the law [section 48 (3)]. Such tenants are prohibited from gifting, mortgaging, selling or sub-letting for more than a year except to their heir or co-tenant or except when the transfer is made to repay a taccavi loan [section 48 (4)]. Transfers made in contravention of section 48 are voidable under section 49 in much the same way as illegal transfers of occupancy holdings under the (unamended) Central Provinces Tenancy Act 1920. The conditions of 'ordinary' tenants are practically the same as those of tenants at will in non-*izara* alienated villages.

164 There is thus virtually no restriction on the transfer of tenancy lands by aboriginals in non-*izara* alienated villages and in *izara* villages by ante-alienation tenants. In the latter the position of permanent tenants is much the same as that of occupancy tenants under the unamended Central Provinces Act and so presumably as in the Central Provinces they can defeat the transfer restrictions by a collusive surrender to the landlord followed by a re-grant to the transferee.

165 No restriction has been imposed on the transfer of the rights of *izardars* and plot proprietors in *izara* villages probably the same considerations as underlay the enactment of the Central Provinces Land Alienation Act should be applied to transfers by aboriginal proprietors as it transpires that they are losing their lands. In other alienated villages it is presumed that transfer is sufficiently regulated by Berar Revenue Book Circular I 2.

166 *Scope of enquiry*—Occupants in Berar have now as a whole had transferable rights for so long that except in the Melghat along the Betul and Nimar border and in the aboriginal tracts of Yeotmal I accepted the Commissioner's view that it was probably too late to consider the question of restricted tenure for aboriginals in the *khalsa* areas. In the Melghat the question was not so much whether restrictions are desirable as whether the existing restrictions are adequate and are being properly enforced by Revenue Officers in the unalienated villages and in the jagir villages what the conditions of aboriginal tenants are whether any record of the rights of ante-alienation tenants and tenants at will is necessary whether the Melghat *gaongaida* should be imposed and whether further provision to protect aboriginal tenants should be made either by amending Chapter VIII or by framing rules under section 194 (1) of the Code.

(1) In the Melghat Taluq therefore the Revenue Officers were asked—

- (a) to bring up to date the statistics in the table on page 6 of Mr Crofton's Settlement Report showing as aboriginals all occupants belonging to the tribes and castes notified under section 66 of the Code which involved dividing up the figures in Mr Crofton's category 16 between aboriginal and non-aboriginal others.

- (b) in villages where the enquiry shows a marked fall in the number of or area held by aboriginals, or a marked rise in the number of or area held by non-aboriginals, or both, to investigate the reasons and see whether the rules need tightening;
- (c) to examine the records of recent land transfer and allotment cases,
- (d) to record any incidental information on aboriginal indebtedness that might arise out of (b) and (c),
- (e) to see whether the requirements in the *gaonqaida* of local enquiry (rule 1), residence (rule 3), preference to aboriginals (rule 4), and allocation only to *bona fide* agriculturists were being carried out,
- (f) to examine conditions in the jagir villages, as to which no information was available in any recent Government report, to see whether exploitation of aboriginals was going on in the ways described as formerly prevalent in the *khalsa* villages in paragraphs 3, 4 and 6 of the introduction to the Melghat Manual, and if so, to see whether any special measures were needed for the control of the relations between the jagirdars and aboriginals, and
- (g) to see whether there were any additions needed to the list of aboriginals and backward castes under section 66 of the Code

(2) *Villages transferred from the Melghat after 1911* — Showing subsequently amalgamated villages as one, Amraoti District has 15 in Ellichpur Taluq and three in Daryapur Taluq, Akola District 31 in Akot Taluq and Buldana District one in Jalgaon Taluq. In these villages the Deputy Commissioners were asked to compile from the Nelson and Crofton settlement records and from the latest *jamabandi* statements a statement giving against each village its settlement number, the total number of occupants, the total area held by them and the total assessment at the two settlements and now, and the total number of aboriginal tenants of the tribes and castes notified under section 66 of the Code and the total area held by them and its assessment at the two settlements and now. This statement was also to show the total unoccupied area available for occupation on the three occasions. Deputy Commissioners were to see from the statements any area where there had been a marked fall in the aboriginal holding or rise in the non-aboriginal holding, and have the reasons examined locally, and to scrutinize cases in the record-room for the previous three years to see how far the rules on page 23 and page 49 of Berar Revenue Manual, Volume I, were being observed and whether there were any villages where relinquishments had been so frequent as to merit local enquiry into the reasons.

(3) *In the rest of Berar* conditions were investigated on the following lines, the word aboriginal being regarded as including Gond, Pardhan, Andh, Bhil Kolam, Koli, Nihal, and Korku among true aboriginals and Banjara or Wanjari, Gowari and Gaoli

A *Izara villages*—The settlement reports were examined and showed no ground for enquiry except in Yeotmal District. There the Deputy Commissioner aided by a selected Revenue Inspector placed on duty for the whole of this enquiry in that district was asked to compare the position at the last settlement (summarised in a statement supplied to him) and in 1940 to see whether loss of land by aboriginal *izardars* plot proprietors and privileged tenants disclosed any *prima facie* case for land alienation legislation. He was asked to test the reasons for loss of land in selected villages. Forms were prescribed for the statistics.

B *Jagir villages*—Four jagir villages in the Jalgaon Taluq of Buldana and six in the Kelapur Taluq and four in the Pusad Taluq of Yeotmal were suggested for investigation. The enquiry was to be limited in the Yeotmal jagir villages to the extent to which aboriginals were losing their rights as anti alienation tenants and tenants of antiquity and to the free right of transfer accorded to them by the law. The Deputy Commissioner of Buldana was asked to make the same enquiries as prescribed for the Yeotmal jagirs and also to look into the questions raised for the Melghat jagirs.

C *Khalsa villages*—In Amraoti District 45 villages were selected in Morai Taluq and 21 in Ellichpur Taluq in the aboriginal northern fringes of the two taluqs where the villages occupy the foothills of the Betul and Melghat ranges in Akola District. 9 villages of Akot Taluq transferred from the Melghat in 1911 in Buldana District 16 villages on the fringes of the Melghat and in Yeotmal District all the *khalsa* villages of one revenue inspector's circle each in Kelapur, Pusad and Wun Taluqs. For these areas Deputy Commissioners were asked to have prepared in a prescribed form statements comparing in each village from the original record of rights and the latest available *jamabandi* the total occupied land and unoccupied but cultivable land the total number of all occupants and of aboriginal occupants and the total area of the villages and assessments and the land held by all occupants and by aboriginal occupants. They were asked to examine the reasons for any marked fall in the aboriginal holdings that might be revealed by the statistics in any village and it was stated that the issue involved was the extension to other areas in Berar of the restrictions imposed on rights of transfer in the Melghat by section 66 of the Land Revenue Code and of rules 4 and 5 made under section 53 of the Code on page 23 of Berar Revenue Manual Volume I or rules 1 to 7 (made under the same section) of the Melghat *gaonqaida*.

167 The thoroughness with which the enquiry was conducted in the different districts varies. Unfortunately my enquiry coincided with a heavy volume of war and civil disobedience work in Berar and as I myself had by that time ceased to be a little more than a one-eighth time Aboriginal Tribes Enquiry Officer I was unable to supervise personally or check any results or ascertain reasons for loss of land on tour. The Yeotmal enquiry covered the largest area and though the report of the Deputy Commissioner does not go much into

reasons or specify the results of the local enquiries if any, made, yet its general result is striking; the number of aboriginal occupants and tenants has risen from 4,463 at settlement to 4,715 in 1940-41, but the area held by them has fallen from 121,712 acres to 93,267 acres, a loss of 28,445 acres or 23 out of every 100 acres in 25 years. The Deputy Commissioner's report, which is reproduced below without the statements, speaks for itself, but it is difficult from the material presented to single out any special feature of any special area or castes —

“Introductory.—The present enquiry was undertaken to ascertain what portion of the land belonging to aborigines in the district had passed into the hands of non-aboriginals during the past two decades and whether in consequence it would be advisable to prohibit permanent alienation by aboriginal occupants or to restrict their powers of transfer. A total of over 160,000 inhabitants classified as aboriginals are found in all parts of the district inhabiting about 1,930 villages. The aboriginal population is most dense in the Kelapur and Wun Taluqs, and in the Kinwat range of the Pusad Taluq. Revenue Inspector W D Pandharipande, placed on special duty to collect the necessary statistical information, was directed to conduct an enquiry in respect of all villages in the district in which the aboriginal population was not less than 33 per cent of the total. This enquiry covered 754 villages (including all villages in the Kinwat range). Of these 493 were *khalsa*, 227 *izara* and 34 alienated non-*izara* villages. Out of the 754 villages in which enquiry was directed, it was ascertained that in 211 villages there were no aboriginal occupants or tenants recorded either in the original record-of-rights, or in the current records. To ascertain the position of aboriginal *izardars*, plot-proprietors, ante-alienation tenants and permanent tenants at settlement compared with that which they now enjoy, Tahsildars were required to make enquiries in respect of all alienated villages in the district. Likewise they were asked to examine the reasons for the disappearance of the aboriginal occupants in 22 villages and why in 49 villages the land under their occupation had dwindled to 33 per cent of the land which they held in the year 1914. To facilitate the collection of statistical information for selected *khalsa* villages a form was prescribed

intended to provide the figures required in columns 2, 4, 6, 8, 10, 11, 14 and 15 of the prescribed statement, Form III. The statistical information gathered as a result of the enquiry has been compiled in the following prescribed forms —

“Form No 1* relates to proprietors in *izara* and in non-*izara* alienated villages with an aboriginal population of not less than 33 per cent. There has been no change either in the number of proprietors or in the area which they hold in non-*izara* alienated villages. In *izara* villages, however, the Gond proprietors have increased by 6, Andhs by 2, and others by 6, while the number of Banjaras has decreased by

*These forms and statements have not been reproduced in this Report.

given for the settlement period in the Deputy Commissioner's return but only for 1940-41 when they were 137 holding 242 acres —

Tribe (1)	Settlement		1940-41	
	Tenants (2)	Acres (3)	Tenants (4)	Acres (5)
Gond	123	3,254	102	2,369
Andh	102	2,456	83	1 639
Kolam	10	180	36	569
Total aboriginal tribes	235	5 890	221	4 577
Banjara	216	5 204	230	4 626
Gaoli	22	759	42	1 046
Total backward tribes	238	5 963	272	5 672

There is clearly some mistake because the form II returned showed that in the *izara* villages included in the total of selected *izara* villages and *jagir* villages there were 83 aboriginal tenants of other castes holding 2 081 acres at settlement. This omission incidentally invalidates the argument in paragraph 5 of the Deputy Commissioner's report since he has shown 137 tenants and 2 428 acres credited in form B against other aboriginals in calculating the total increase in the number of tenants and holdings. Actually Gond Andh and Kolam tenants decreased from 235 holding 5,890 to 221 holding 4,577 acres a loss of 223 acres per mille while Banjara and Gaoli though their number rose from 238 to 272 lost only 291 acres out of 5 963 acres. The table below abbreviates the statistics in Deputy Commissioner's form III. The suggestion in paragraph 6 of his report that in allotting the small remaining unoccupied area of 2,518 acres the claims of aboriginals should be considered would be a small concession in view of the fact that they have lost in 25 years 29 300 acres in these villages certainly all the remaining land should be reserved for them. In the 25 years 8 053 unoccupied acres have been given out to occupants while non-aboriginal holdings have increased by 47 100 acres the average aboriginal holding has decreased from 27.5 to 19.6 acres in this period.

Taluk and number of villages examined (1)	Total occupied area, in 100 acres		Total unoccupied but cultivable area, in 100 acres	
	R. of R. (2)	1940-41 (3)	R. of R. (4)	1940-41 (5)
Wun (76)	65.2	68.8	471.3	321
Kalspur (111)	118.0	128.4	517	458
Pusad (127)	182.8	184.7	283.2	421
Darwha (90)	106.7	108.4	153.0	496
Yeotmal (33)	29.4	29.7	98.3	822
District (437)	502.1	520.0	1 057.5	251.8

Taluk and number of villages examined	Aboriginal occupants			
	Number		Area (100 acres)	
	R. of R.	1940-41	R. of R.	1940-41
(1)	(6)	(7)	(8)	(9)
Wun (76)	466	482	12,8	9,6
Kelapur (111)	597	612	19,2	12,8
Pusad (127)	1,902	2,045	50,2	37,5
Darwha (90)	827	802	21,7	16,3
Yeotmal (33)	198	179	6,0	4,4
District (437)	3,990	4,120	109,9	80,6

Taluk and number of villages examined	Other occupants				Percentage of holdings lost by aborig- inals since 1940
	Number		Area (100 acres)		
	R. of R.	1940-41	R. of R.	1940-41	
(1)	(10)	(11)	(12)	(13)	(14)
Wun (76)	1,634	2,179	52,4	59,2	35
Kelapur (111)	2,330	2,911	98,8	115,6	33
Pusad (127)	3,657	5,165	132,7	147,2	25
Darwha (90)	2,581	3,277	85,0	92,1	25
Yeotmal (33)	616	816	23,4	25,3	25
District (437)	10,818	14,348	392,3	439,4	27

(R. of R.—The vent of the original record of rights.)

168 In the absence of the individual Tahsildars' reports, it is not possible to say much about the reasons given in paragraph 7 of the Deputy Commissioner's report for this loss of aboriginal land. But it is certain that with the increase of the general population and consequent increasing pressure on the land the tendency is always for the more intelligent and unscrupulous to get the land that they think they need at the expense of the simpleton. Drink may be a factor in the sense that provision of liquor is an item of expenditure in aboriginal weddings, I agree however with the Deputy Commissioner that this is a comparatively minor factor in the loss of land. What we see here, as in the Central Provinces, is a gradual transformation of the aboriginal from a class of men cultivating their own land into landless labourers cultivating for others or working as cartmen and forest coolies. As pointed out before, in 1931 187 in every thousand of the population of the district were aboriginals, and this figure excluded Gowari, Gaoli, Banjara and Wanjari, the addition of whom would raise the district total by 100,407 and the proportion of aboriginals to 305 per thousand. Yet in the 437 *khalsa* villages examined aboriginal occupants in 1940-41 numbered only 4,120 or 223 in every thousand and held only 155 in every thousand acres. It should be remembered that villages were examined only in those areas of the district where there are aboriginal occupants, so that if the proportions of land held by aboriginals and of aboriginal occupants could be worked out for the whole district, they would be much lower than these figures. The conclusion seems irrefutable that protection is as much needed for the aboriginal occupant in Yeotmal as for

the aboriginal tenants in Nagpur Wardha or Chanda and almost as much as for the Korku in the Melghat. Therefore section 66 of the Berar Land Revenue Code should in my view be amended so that it may be applied by notification to areas in Berar other than the Melghat and the villages transferred from Melghat after 1911 if the Provincial Government considers this necessary for the protection in any area of aboriginal tribes and backward castes. This should always involve the application to such areas of rules 4 and 5 under section 53 of the Code the former rule requiring slight consequential amendment. The figures of the revenue inspector's enquiry will give a valuable indication of the patwari circles of Yeotmal where this is necessary.

169 *Morsī Taluq*—Another most useful enquiry was conducted by Mr F P Mainprice, ICS the Sub-divisional Officer for 70 aboriginal villages in Morsī Taluq. I reproduce this with his table giving detailed results for 12 villages, the complete table in form III prescribed for enquiries in *khalsa* villages is available on the file and shows that in these villages since the original record of rights the number of aboriginal tenants has decreased from 153 to 144 while the area held by them has fallen from 3,341 acres assessed at Rs 2,546 to 2,301 acres assessed at Rs 1,535. In the same period non-aboriginal occupants have increased from 2,328 holding 58,005 acres to 4,086 holding 60,025 acres. This is an area where the vast majority of the population is aboriginal and the aboriginals cultivate their former lands for absentee moneylenders and others—

I forward a statement in the required form for the 70 villages in Morsī Taluq where aboriginals (for all practical purposes Gond) might be expected to hold land because there is a considerable aboriginal population in these villages (and in 30 of the inhabited villages an almost purely aboriginal population). Mahar holders are not included in these figures but in no place do they have more than a field or two. I added a considerable number of villages to the list given because the villages of the main aboriginal block in the taluq (in Pusli circle) were not included and also to include border line villages where I thought there were some aboriginal occupants. Apart from some *bhumak* (village service) *inam* fields held by Gond or Arakh and a few odd fields in other Kunbi villages many of which have a very large Gond labouring population aboriginals have land nowhere else and all villages lying along the Betul foothills and the Lakhara and Mehedri reserved forests have been included.

To get an idea of the position at the first settlement (1873—79) I had figures extracted from those settlement records for 12 representative villages which are given in the attached table*. These figures show most clearly the tremendous pace of the early expropriation of Gond Korku and Lajjhar in all the aboriginal fringe from Morsī to the Fillichpur border. The figures for Ganeshpur and Bhilokundi are the most striking and as the 1875 figures were

*See page 140.

compiled 14—22 years after the cession it can safely be presumed that expropriation had already worked a certain havoc in what were at the cession probably purely Gond lands, just as the population of Ganeshpur is still purely Gond and Korku and that of Bhiokundi purely Gond except for about 2 houses of Kalars in each village. The process has been completed since 1912 at Bhiokundi, where I studied the record-of-rights. There the Pethe family of Kalars from Morsi started operations about 1895, and in 20 years had dispossessed the last Gond occupant, and even got the *bhumak* *mam* lands resumed and into their possession. They then acquired steadily the lands of the Kunbi and others who had originally dispossessed the Gond, and now own all except two or three fields, the only other resident occupant being the *kamdar* Mahar, whose single field they also got in 1916, but had to disgorge in 1922 after long litigation. They also obtained the *patelki* early in this century, and this facilitated the acquisition of the land and of all except 5 of the houses and sites in the *gaathan*, so that they have a complete economic stranglehold over the village. Ten years ago some Gond broke away and went to found a *basti* at Ambhori, and now more are emigrating to Tembhi to found a *basti* there. The prices paid for most of the land, which is good, were grossly inadequate in most cases. At Ganeshpur the Gond and Korku were exposed to the land hunger of the Marwari, Kunbi, Mali and Pinjara of two big centres Ghatladki and Ambada, 3 miles away, who can cultivate themselves or through Gond labourers, and the very bad water and climate in no way saved the aborigines. In all the villages round Hiwarkhed all the land of Gond and Arakh was swallowed up by Rupram Marwari, who paid Rs 17,000 land revenue in his heyday. His son Mohanlal has had to part with much of his land and is financially embarrassed, but Brahmin, Kunbi and Mali, and not aborigines (who have no capital), are taking it. Rupram accounts for the virtual extinction of Gond and Arakh occupants at Molwan, Ghoddeo, Ambaphata, Pandharghati and Kasari. Thus from Kumdara westward only 5 occupants in the mainly aboriginal villages cling precariously to a few stony acres each, while all the rich land has passed to outsiders. Thousands of acres went between the cession and about 1895 alone, the eighties being probably the peak period of despoliation. Only one Hiralal Gond of Taroda has one good field which he purchased 25 years ago from the profits of cultivation on lease, and has no debts. Some Gond get a bare subsistence from taking the poorest fields at Pimpri, Saiwada, Dasur and Ganeshpur on lease, and at Ghoddeo the grant of waste lands to Ellichpur ex-soldiers who live on at Ellichpur and lease them out annually, usually on two-thirds *batai* (one-third to the lessee only), gives the Gond some leases. But they cannot get leases at Bhiokundi, and everywhere the vast majority are *saldar* or daily labourers. Without Government help and active intervention their economic position in this tract is so depressed that none can get together any capital, and so repurchase of their ancestral lands is quite impossible.

The partial collapse of Mohanlal Marwari of Hiwarkhed illustrates this. Only Government could have purchased his lands cheaply for the Gond and Arakh and taken repayment from them in instalments.

Rich Marwari and Kunbi account for the dispossession of Gond at Dhamandhas Shekdari, Georegaon Bahada Ittangaon and Gawhankund the four latter having a majority of Kunbi in their population while all these villages are near the big centres of Jamgaon Benoda and Temburkhed. Sendurjana *sahukars* account for the great loss of land at Jetamjiri Pimpalshenda Humanpeth Pusli and Wali Khurd where Kanhayyalal Marwari Motilal Marwari Solao Kunbi Tarar Mali and Takarkhede Mali all very big moneylenders have caused most of the damage. Expropriation of the remaining occupants at Jetamjiri and Wali Khurd is proceeding very fast and as there is no single literate among the 230 inhabitants of Jetamjiri the process is likely to be rapid and easy unless Government gives protection. The old Gond patel of Rawala is a firm man who will not allow outsiders to settle in his village and by good management and stern resistance to penetration from Sendurjana has managed to get back some land with his accumulated capital. The same process might take place at Wali Khurd where Khandu Mahajan managed by a smart piece of work on the Brahmin patwari's advice to extricate himself from what appeared an almost hopeless indebtedness and is now well to-do. But it is almost impossible to get any land back from very big landholders like Tarar and Solao who depend now more on the profitable fruit crop than on the vagaries of moneylending. Only anti landlord legislation could affect their position and effect retransfer of land and only Government help could ensure that retransfer is to the aboriginals rather than to Kunbi and Mali.

The Pusla tract shows these tendencies clearly for here there is a small aboriginal block six to eight miles from Pusla the nearest big Marwari and Kunbi village. At Pusla itself Gond have lost all their 51 acres in 1905. Pandurang Nago Wani has the chief moneylending business among the Gond here and many of their remaining fields in surrounding villages are heavily mortgaged to him and in imminent danger. At Linga and Ekalvihar Gond have lost nearly everything to the Teli and Kunbi of these places. In the more inaccessible Gond tract of Karli Jamgaon Pimplagarh Mehedri and Karwar after a disastrous loss of land between 1875 and 1905 they have managed to increase the area of land they hold very considerably but it can be said that this was only by repurchase of the very poor, stony fields which abound in this area from the small Kunbi injara and others who found it uneconomic to cultivate one field at such a distance from their villages. All the good land has gone to the *malguzar* moneylenders of the adjoining villages on the Chhindwara side of the Wardha River and this process is continuing. At Pimplagarh a rich alluvial belt by the river is all owned by Central Provinces occupants while much of the stony fields towards Mehedri

which are scarred with *nalas*, has been repurchased by the Gond. Their holdings are assessed at about 10 annas an acre only, and at Mehedri at about 7 annas. In none of the 12 villages given in my table are the aboriginal holdings assessed at more than Rs. 1 per acre, though this is not so of the holdings of others. When a Feli *sahukar* of Pusla got the *patelli* of Kurli in 1903 he stated that he had two fields at that village. Today his son, whom I have just removed in favour of a Gond, had 200 acres, though himself heavily indebted to Pandurang Wani of Pusla. Dhanba Fakur Gond recently appointed *patel* of Jamgaon, is increasing his holding by buying out small Kunbi, being a very intelligent man, but in these villages there are few others who could do this, and only Government action could really start retransfer and profit by the distress of some of the *sahukar* for the benefit of the Gond.

"I have given my proposals for prohibiting alienation of any aboriginal land with effect from the 1st January 1911, and for securing the retransfer to aboriginals of much of the land already lost through varied assessments, an Aboriginal Land Acquisition Fund, and other methods, in my general report on my aboriginal enquiry. Without them the position in the western half of the taluq will remain as hopeless as it is today, while the very small area retained in the Benoda-Pusla area will almost all be lost in the same way, and the Gond block beyond Mehedri may perhaps gain a few more rocky fields, and lose the five or so good fields and two gardens which remain. I am proposing the creation of a block of inalienable aboriginal land out of the good C class soil at Januna, Ambhori and Tembi, to act as a centre for improvement in the west which might help to break the vicious circle of illiteracy, debt, loss of land, and consequent inability to afford to send children to school and to purchase land which is on the market, but this cannot affect the situation in other villages for many years. Meanwhile, if creditors learn that protective legislation is proposed, they will cease to regard aboriginals' debts as a convenient source of yearly income, which it is not desirable to stop by taking the debtor's land, but will foreclose immediately, unless legislation is made retrospective."

TABLE

Village	Tribe or caste.	Number of occupants	Acres	Assessment	Number of occupants	Acres	Assessment	Number of occupants	Acres	Assessment
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
				Rs			Rs			Rs
Chhapur— tribe village.	aboriginal	Korku Gond Others	6 132 23 710 7 219	62 } 435 } 169 }	7 27	124 838	131 837	3 36	27 951	27 1 147
ada— formerly half now half half Lajjhar	Kunbi Gond Others	Gond Lajjhar Others	15 198 25 675	181 696				61	882	1 389
da pargana										
da— half Kunbi Gond	half Gond	Gond Others	1 12 7 432	19 716	14	428	864	23	427	862
da— most entirely	Gond	Gond Others	9 272 5 113	207 119	10 10	196 300	168 280	15	502	539
da— sorted village.	Arakh	Arakh Gond Others	1 139 1 10 14 350	72 8 190	5	525	359	1 11	11 548	8 349
da— most entirely village.	Gond	Gond Others Lajjhar Ga wari and Mahar	4 97 23 494 5 113	65 418 } 68 }	25	628	663	38	658	736
da— entirely Gond village	Gond	Gond Arakh Others	10 172 3 32 19 333	124 } 21 } 249 }	3 22	26 406	25 375	2 31	19 423	11 381
da— Gond village	Gond	Gond Others	10 378 13 576	124 217	6 25	272 703	130 382	9 45	176 835	83 460
da— one-third one-third	Gond Kunbi	Gond Others	4 65 32 609	56 580	3 36	60 590	61 723	2 53	7 651	4 828
da— all village	Gond	Gond Others (Mahar)	8 375 1 6	152 4	5 11	115 411	47 205	6 14	172 377	77 207
da— Gond village	Gond	Gond Others Gawari	11 279 2 59 1 79	93 31 } 28 }	6 21	127 612	59 274	10 19	169 586	69 295
da— Gond village	Gond	Gond Others	8 371 3 47	216 29	1 13	14 439	22 350	8 19	127 355	70 327

moneylenders who own nearly all the land in aboriginal villages at present. Even now aboriginals occasionally manage to buy some of the inferior fields which come on the market but most cultivate on lease for a bare subsistence with a large assured profit to the *sahukar* who has no inducement to part with his land. At Bhiokundi the Kalars have got possession of the entire *gaothan*, and all except 5 houses by doubtful methods. It is therefore most desirable that no non-aboriginal except those belonging to the notified kindred backward castes should be allowed to acquire any house *kotha* or site whatsoever without the Deputy Commissioner's permission which should hardly ever be given.

None of the *bhumak nam* fields granted to Gond and Arakh should be resumed.

This proposal absolutely to prevent the grant of fresh sites in the *gaothan* of aboriginal villages is extremely sound for such sites are merely the offices or field headquarters from which the exploiting moneylenders carry on the operations by which they either ultimately acquire their aboriginal debtors' lands leaving them to cultivate it for them as their hired or bond servants or virtually acquire them by leaving them so much in their debt that they must borrow from them seed and cattle for cultivation and pledge to them half of the crop or more. Notification no 466-VII of April 20th 1920 printed on page 49 Berar Revenue Manual Volume I wisely extends the provisions of section 66 of the Code to all sites in the *gaothan* held by the notified aboriginal tribes and backward castes in villages in the present Melghat Taluq but excepts from these *gaothan* restrictions the villages transferred from the Melghat in 1912 to other taluqs. The exception is unfortunate and should be removed. The law also needs tightening up to prevent existing non-aboriginal holders of *gaothan* sites acquiring new sites or transferring their sites except to members of the notified aboriginal tribes and backward castes and absolutely to prohibit except in such places as Dharni and Chikalda and perhaps a few villages where the non-aboriginal settler element is large and long established such as Bairagarh all grant of new *gaothan* sites to non-aboriginals at least without the specific sanction of the Deputy Commissioner in each case. This principle is of such importance that it should also be extended to selected aboriginal tracts of Berar such as the Morsai areas on which Mr Mainprice reported and the almost purely aboriginal villages in Yeotmal District to which the Commissioner referred in the extract from his 1935 letter quoted on page 182 above and to many areas in nearly all districts of the Central Provinces. In fact it must be made explicit in the proposed Bill to amend the Central Provinces Land Alienation Act so as to protect aboriginal holdings from alienation that the provisions apply to sites in the *abadi* as well as to holdings and this will involve repeal of the words or village in the definition of land in section 2 (2) of the Act.

171 Mr Mainprice's first proposal to prevent alienation by a measure with effect retrospectively from January 1st 1940 is sound. Though for various reasons the Amraoti officers were

not able to make a similar investigation in aboriginal tracts of Ellichpur and Daryapur Taluqs, it would be indeed surprising if conditions differed greatly there. In the ex-Melghat villages of Akot and Jalgaon Taluqs and the adjacent villages, which were selected for this, the net of the enquiry was not flung wide enough to yield results of sufficient scope to indicate how far such conditions occur there also. But Mr Mainprice's proposal would apply to most of the area covered by the Yeotmal enquiry. What is needed is extension to all aboriginal areas in Berar notified for this purpose of the provisions of section 66 of the Land Revenue Code in respect both of land and sites in the *gaothan*.

172 Mr Mainprice's second suggestion of a land acquisition fund is also sound, the principle underlying it being the same as that underlying a suggestion in the previous Chapter that every possible opportunity should be taken up of buying up non-aboriginal *malguzars* of aboriginal villages and converting them into *ryotwari* villages. This land acquisition fund could be tried experimentally in selected areas in perhaps Morsi, Ellichpur and Daryapur Taluqs, or even in those parts of the Dharni revenue inspector's circle of the Melghat in which non-aboriginals at present occupy considerable areas.

173 Mr Mainprice's third suggestion, however, of what amounts almost to a penal assessment on non-aboriginals does not seem to be practicable. The present assessment in these areas is generally low, and it is open to doubt whether the mere doubling of it would result in anything more than the money-lender-occupant increasing proportionately the sub-rent in cash or share of cultivation profits that he levies from the aboriginal who cultivates the land for him. It would be preferable to acquire land in suitable cases under the Land Acquisition Act, for the public purpose of the economic rehabilitation of the aboriginal villages. Amraoti District is a useful area for experiments like these, since it is a district to which keen young officers of the Indian Civil Service are generally posted as Sub-divisional Officers. These are generally schemes could also with advantage be tried in adjacent parts of Multai Tahsil and along the Ellichpur border of Bhainsdehi in Betul District, where the loss of land has been great and the yearning for recovery is as great as experienced by Mr Mainprice in Morsi Taluq.

174 *Akot Taluq*—Enquiry was made in the villages of Shahnur, Yellapur, Khairkeda, Diwanzari, Badkhed, Wari, Warkhed, and Mahagaon, which are along the northern edge of the taluq where it borders on the Melghat Taluq and had always been part of Akot Taluq, and also in the 6 villages of Shahpur, Mardi, Rudhodi, Malkapur, Popatwheda and Chichari, transferred from the Melghat in 1912. In all these villages there is no expropriation, in fact in all but three aboriginals have considerably strengthened their holdings since the original record-of-rights. The Sub-divisional Officer's examination showed that the rules under section 66 of the Land Revenue Code were being properly enforced and nothing had arisen to indicate the necessity of any amendment. Of the 14 villages examined six are purely

aboriginal. He suggested that it was not necessary to impose restrictions on the transfer of sites in the *gaolhan* but his reasons are not very convincing when he admits that the non aboriginals who own lands in the villages all live below in the plains villages where they have better fields. This means cultivation for the absentees by the resident aboriginals and therefore the evils prevalent in Morai Taluq. The Deputy Commissioner's views reproduced below show however that agriculture is really a secondary occupation for the local aboriginal —

The aboriginals in the transferred villages do not intensively cultivate their fields as they still regard forest labour as their main source of living. Government forests in the Melghat Taluq provide ample employment for them. The population of Melghat is only about thirty five thousand while the forests are very extensive. Secondly the transferred villages do not contain fields of good soil or of good situation. Naturally forest labour has been and will for a very long time to come remain the most important source of livelihood to the aboriginals. The non aboriginals traditionally prefer cultivation to labour in the forests. It is inevitable therefore that in these villages the proportion of non aboriginal cultivators should be greater than that of aboriginal cultivators. The land revenue history of Akot Taluq shows that the proportion of aboriginals who were in arrears of land revenue from 1935-36 onwards was excessively high when compared to non aboriginal defaulters for those years. The lands of the aboriginals were put to sale year after year for recovery of land revenue. But although sales were repeated five or six times no non aboriginal ever cared to take these lands even on payment of nominal prices. This is largely due to the fact that the aboriginal holds land which is of very poor quality. The soil is bad, the fields are not level but are situated on the slopes of hills and the little crops that they can cultivate are subject to the depredations of wild animals. The result is that the aboriginal is obliged to leave his lands fallow and treat them as mere grass reserves. This does not pay in several cases and when the Tahsildars started attaching movable property the aboriginal defaulters readily surrendered their holdings on account of their inability to pay the accumulated arrears of five years. In some cases the arrears dated from 1931-32. But last year arrears prior to 1935-36 were all written off under orders of Government. The approximate area so relinquished by aboriginal cultivators under section 60 of the Berar Land Revenue Code will come to about 600 acres, and the land revenue written off amounts to about Rs 1,500. These relinquishments show that an important reason for the reluctance of the aboriginal to settle down to cultivation is the fact that cultivation in his village does not pay at all.

I saw a few of the relinquished fields in Popatkhed and Shahnur in January 1941. I also saw several other fields which had not been relinquished but which had been either left fallow or cultivated very poorly. The signs of damage by wild animals were obvious on the surface. I myself saw sambhar grazing in a cotton field which did not have any

watchman probably for the simple reason that the crop was not worth watching. The aboriginal occupant was able to earn a little more by forest labour than by watching a very poor crop in a field at the bottom of the hill.

"The Tahsildar of Akot reports that there are several more cases of arrears of land revenue in which demands for recovery will result in applications for relinquishment. Many of these fields are on the sides of hills and are worth more to the district if left fallow, as, in the fallow condition, they will delay the erosion of the hill sides which is undoubtedly proceeding at a noticeable rate in this area. From the erosion point of view, the relinquishment of many of these fields has been a gain to the district.

"Under conditions prevailing in the aboriginal villages of Akot Taluq, the aboriginal finds no temptation to settle down to cultivation. It seems therefore that the lot of the aboriginals can be improved by concentrating as many forest works as possible in these villages."

175 *Buldana District*—There was only one village transferred here from the Melghat in 1912, Kamod. Enquiry here shows that there have been three recent transfers of land. A Korku sold to a Rohilla moneylender in 1936 an area of 15 acres assessed at Rs 17 for Rs 825 by a registered sale-deed. The same Korku sold another 23.5 acres rented at Rs 25 to a Marwari for Rs 200 in 1936 and 23.5 acres also rented at Rs 25 to the same Rohilla in 1937. All the three transactions contravened the rules under section 66 of the Code and should be set aside.

176 In the Tunki and Pingli *jagirs* villages close to Kamod, which are surveyed villages, the aboriginal holders are Koli by caste, but have lost very little land and are said to be so advanced as to differ very little from their non-aboriginal neighbours. The *jagirdar* is a Brahmin and the relations between him and his tenants are good. Close to this there are two unsurveyed *jagir* of Bhingara Buzruk and Kuardeo, each, with a number of uninhabited villages attached to it. These two *jagirs* between them cover nearly 24,000 acres, but the cultivated area is only 62 acres. The population consists of 117 wretched Nahal and Bhil villagers far more interested in forest work than in cultivation.

177 Fifteen *khalsa* villages were investigated, of which seven were deserted. In five of these nine aboriginal tenants have lost 197 acres. Of this area 109 acres have been lost in Rajura village by Bhil occupants who have given up land to pay off debt. In other villages the aboriginals have increased their holdings. The conditions in most of the villages are very similar to those described by the Deputy Commissioner of Akola in Akot Taluq. Except in Wasali there is little good land. Some Muslim moneylenders in Jamod village have been responsible for most of the loss of land by aboriginals in the villages of Wasali, Umapur, and Saikhed. The district report, while thinking that the expropriation had not gone very far, judging from

areas suggests that the better land has passed to the money lender, and that there is no competition for the remaining land which no one but Bhil or Korku occupants are likely to be able to manage. It is however thought desirable to extend the provisions of section 66 of the Code to all the 14 khalsa villages examined and to regulate the allotment of unoccupied cultivable land by rules 4 and 5 under section 53 of the Code.

178. The following opinion expressed by Mr V K Maitland M C, I F S, Conservator of Forests who was for many years Divisional Forest Officer of the Melghat about these sub-montane semi Melghat villages of Akot and Jalgaon Taluqs supports the views of the Deputy Commissioner of Akola —

The land held by aboriginals in villages along the southern fringes of the Melghat (e.g., Popatkeria and Shahpur) is of poor quality being of typical foot hill type subjected to severe leaching action and heavy run off of monsoon rains. The aboriginals who live in these villages are not typical forest dwellers and compare unfavourably with those who are found in the interior. They are more of the village servant or cartman type—many of them know little of axework. Such castes as Banjara and (particularly) Nahal have for years lived by carting, poaching, extraction of forest produce, and in some cases regular stealing from fields. I have known several Nahal families (in border forest villages) who have admitted that the pilfering of cotton in the season was one of their main sources of livelihood.

The point made by the Deputy Commissioner of Akola is important, viz. that in these border villages the depredations of wild animals are so severe as to vitiate all attempts to produce worthwhile cultivation even by the better agricultural castes. It may also be added that these foothill areas are among the worst for malaria. My experience of cultivation in forest villages just inside the southern border where conditions are similar is that it never amounts to much if left in the hands of aboriginals. I do not therefore consider that the protection of aboriginal ryots from expropriation in the villages on the Berar side of the Government forests of the Melghat and of the Jagir forests will do much more than perpetuate the present stagnation. Where on the other hand protection of aboriginals is required is (as recognised in Mr Crofton's settlement) in the fertile lands of the Dharni and Khatkumb tracts. What has happened there however has been that in spite of the land being inalienable the moneylender has got in and now although the aboriginal is the nominal owner of the land he is actually working as the moneylender's servant. Even the right (based on his ownership of the land) to graze cattle etc. in Government forest at privileged rates becomes meaningless—as he frequently owns no cattle (a sure proof of the emptiness of his title).

I would not press for protection from expropriation in the poorer lands—the aboriginal will always end up in such localities as a servant cartman *shikari* or spoiler of forest produce. He is not in such places a typical aboriginal but

one largely spoilt already by contact with the life of the plains. I would however advocate tightening up control of moneylending, bond-service, etc., in the villages inside the Melghat having really good soil, i.e., in the Khatkumb and Dharni tracts. The aboriginals there have exchanged their forest rights for this land and really require more protection. Co-operative marketing, liberal taccavi, aboriginal education and health measures should all be under a whole-time officer with the aboriginal's interests at heart."

179 *Melghat Taluq*—For various reasons (including a number of temporary changes in Sub-divisional Officers such as has been the curse of the administration of this and other backward areas of the province for many years past) the full enquiries indicated in the instructions summarised in paragraph 166 (1) above were not carried out. The most important points for enquiry were parts (a) to (c) of these instructions. Unfortunately no statistics have been compiled nor has there been a detailed examination of the records of recent transfer and allotment cases or consequent following up of any information that these cases might give about aboriginal indebtedness. A somewhat general report by one of the temporary Sub-divisional Officers of Ellichpur, with comments by Mr A. H. Layard, C.I.E., I.C.S., an experienced Deputy Commissioner, and some rather haphazard enquiries that I was able to make from local officers in the course of two abbreviated visits to Chikalda and a more fleeting visit to Dharni, have to supply the place of the solid statistical basis for the conclusions drawn elsewhere in the province from statistics.

180 There are three main tracts in the Melghat, of which the first two in the table below are administered by the Revenue Department. The contrast between the 1941 census and the 1931 census is of interest —

	1931 population	1941 population
Dharni tract (115 villages)	23,962	23,025
Chikalda tract (50 villages)	9,628	11,149
Forest villages	14,257	12,755
	<hr/> 47,847 <hr/>	<hr/> 46,929 <hr/>

In my visit to Dharni I heard much of desertion of their land by Korku occupants for two reasons —

- (a) the depredations of the Marwari and Muslim moneylenders settled at Dharni, Bairagarh, etc., and
- (b) the fact that cheaper and better land on conditions believed to be easier was available for Korku settlers in ryotwari villages under development in adjacent parts of Nimar District.

It is certainly remarkable that there should have been a fall of 937 in the population of the 115 villages of the Dharni tract and of 1,502 in that of forest villages, side by side with an increase

in the 50 revenue villages of Chikalda tract of 1521. The fall in the forest villages where by universal consent the Korku is happier than elsewhere in the Melghat was in the view of the forest officers probably due to the change of policy from extraction of forest produce on licences to departmental exploitation in 1935-36. At first the change was exceedingly unpopular and led to desertion from forest villages but with experience of the new system the aboriginals soon realised how admirable it was for them and the last few years have shown an exactly opposite tendency of the Korku to return to forest villages.

181 In the 1935 memorandum written by Mr H C Greenfield CSI CIE ICS as Commissioner Berar which has already been quoted in paragraph 157 of this Report there are further remarks relevant to the question now under discussion —

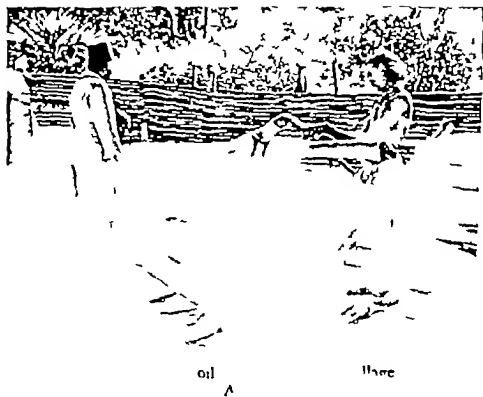
As regards the revenue administration its special needs have been recognised by the establishment of a tahsil at Dharni, in addition to the treasury and Naib-Tahsildar at Chikalda a measure that would not have been justified except for the necessity of devoting special care and attention to this tract by separate settlements based more on the Central Provinces than on the Berar system by the enactment of section 66 of the Berar Land Revenue Code 1928 which provides for the imposition of restrictions on the alienation of land by aboriginals in the Melghat and by the recognition of Hindi as the vernacular medium in place of Marathi which is the court language in the rest of Berar.

On the civil side the aboriginal is unfortunately for him subject to the jurisdiction of the ordinary civil courts and unprotected by any special legislation and the investiture of the Tahsildar of Dharni and the Naib Tahsildar at Chikalda with original civil powers afford him little relief or protection.

On the administrative side the Forest Department is as important as perhaps even more important than the Revenue Department as the area of reserved forest in the Melghat amounts to 1168 square miles out of a total of 1,558 and whereas in the parts of the Melghat administered by the Revenue Department the proportion of the aboriginals out of the whole population is little more than half in the forest area the non-aboriginals are few. For the aboriginal the difference between the two administrations is very great. In the forest area the protection or oppression of the aboriginal is almost entirely dependent upon the personal administration of the Divisional Forest Officer. It is he who can exclude non-aboriginals from securing a footing in the forest villages who can bring pressure to bear on any who persecute the aboriginals. It is he who distributes land for cultivation and who arranges all the details of forest extraction, upon which the life of the aboriginal communities depends. His task presents peculiar problems. The Korku is not vocal and mostly endures in silence. The first evidence that all is not well is often the disappearance



FIG 8 Korku threshing *hodon* between their feet, Hoshangabad Tahsil



during the night of the entire village. There is continuous movement of the population between the forest and the raiyatwari areas, according as life becomes difficult for the individual in the one or the other. The Korku is entirely unamenable to what we call discipline, and regular habits are unknown to him. He has to work when and where he feels inclined, and although it cannot be said that he suffers from agoraphobia, he is certainly happiest when working alone, or as man and wife, in some part of the forest where he may not be able to hear the sound of another axe. This intense individuality naturally renders administration extremely difficult. This year the crops have failed extensively, but the Korku prefers half to fill his stomach with roots than to work as a labourer on road and bridge construction, where labour is badly needed and has had to be imported from outside the district. The only kind of famine relief he understands is permission to take minor forest produce free or to cut timber and bamboos for his own profit. Departmental extraction and sale have always been extremely difficult in the Melghat. Many experienced officers have despaired of carrying out such operations. It is only in the last 4 years since the bottom dropped out of the market for forest produce that the Korku has been compelled to take to working for a wage under the Forest Department because he could not get cash in any other way. Even then it is only because the operations have been managed by an exceptionally sympathetic and competent officer that the Korku has, I will not say, been attracted to, but acquiesced in them. If the situation had not been handled with tact and sympathy, he would have preferred to starve.

"The conclusion is obvious. So long as the aboriginal is encircled by the Forest Act his welfare and indeed his survival will be determined almost entirely by the way in which that Act is administered. The only other factor that is essential is a continued appreciation by those in power of the economic importance of the Melghat forests to Berar. Organised attempts have been made in the past to extend cultivation and to people the Melghat with the Kunbis and other agricultural castes of the Berar plains. These have failed because it is only the aboriginal who ultimately can stand the climate, and because there is little land suitable for continuous cultivation. Had it been otherwise, the aboriginal would have by now disappeared, or only survived in small numbers on the margin of subsistence. He is saved by the climate and by his one ability, that of being able to wield an axe. So long therefore as it continued to be recognised, firstly, that the forests constitute a very valuable asset, and one essential to the people of the plains and secondly, that this asset can only be exploited and made available by the preservation, one might almost say by the careful nursing, of the forest tribes, so long will it be possible for them to survive. Legislation means little to them. Maladministration at the centre may not touch them. But unsympathetic and indifferent local officers, and corrupt subordinates will be their ruin.



FIG 8 Korku threshing *Aodon* between their feet, Hoahangabad Tahsil.



FIG 9 A primitive oil press in a Maria village near Bhamaragarh Ahir Zamindari

during the night of the entire village. There is continuous movement of the population between the forest and the raiyatwari areas, according as life becomes difficult for the individual in the one or the other. The Korku is entirely unamenable to what we call discipline, and regular habits are unknown to him. He has to work when and where he feels inclined, and although it cannot be said that he suffers from agoraphobia, he is certainly happiest when working alone, or as man and wife, in some part of the forest where he may not be able to hear the sound of another axe. This intense individuality naturally renders administration extremely difficult. This year the crops have failed extensively, but the Korku prefers half to fill his stomach with roots than to work as a labourer on road and bridge construction, where labour is badly needed and has had to be imported from outside the district. The only kind of famine relief he understands is permission to take minor forest produce free or to cut timber and bamboos for his own profit. Departmental extraction and sale have always been extremely difficult in the Melghat. Many experienced officers have despaired of carrying out such operations. It is only in the last 4 years since the bottom dropped out of the market for forest produce that the Korku has been compelled to take to working for a wage under the Forest Department because he could not get cash in any other way. Even then it is only because the operations have been managed by an exceptionally sympathetic and competent officer that the Korku has, I will not say, been attracted to, but acquiesced in them. If the situation had not been handled with tact and sympathy, he would have preferred to starve.

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The problem of the raiyatwari area administered by the Revenue Department is different. Here also it is true that oppression by petty officials in this case the patwaris affects them considerably but it is an incidental and not a vital factor as it is in the forest area. Mr (now Sir Arthur) Nelson records in his settlement forecast report in 1907 that it was not until Mr Dadimaster was posted to the Melghat in 1903 that Government by the patwari was replaced by Government by the Tahsildar yet only 4 years later he found the people contented and prosperous. The salvation of the aboriginal is the prohibition of alienation of land. Again to quote from the forecast report of 1907. The policy of restriction (of transfer) has been accepted and its application is particularly necessary in a tract like the Melghat where to grant an unrestricted tenure to the reckless aboriginal is to invite him to commit suicide. A still further development is the grant of priority to the aboriginal in the allotment of uncultivated land. Mr Crofton the Settlement Officer in 1927 states that the increase in the aboriginal character of the population is primarily to be attributed to the policy followed by Government since last settlement of allowing the aboriginal prior claims to all vacant lands and to the restricted tenure rules. This inalienability of tenure sometimes binds the aboriginal too tightly as in the instance of the bondsman which I have cited in paragraph 2*. Had this man not possessed land he would have been free to cut adrift and seek a living elsewhere. But the elimination of the hopelessly indebted or improvident is provided for by allowing transfer from one aboriginal to another, and the man who will not abandon his holding otherwise will sometimes consent to transfer to a fellow tribesman. At any rate there can be no two opinions that restriction of transfer in the raiyatwari area which is sufficiently fertile and open to have attracted and retained other settlers, has been and will continue to be of the foundation of the aboriginal's existence. If present tendencies persist this inalienability of tenure will be imperilled.

Mr Greenfield referred to the danger of the legislature under provincial autonomy being dominated by moneylending interests which were already clamouring in the Central Provinces for the abolition of the remaining restrictions on the transfer by occupancy tenants of their holdings. As we have seen the chief Act passed in the last session of the provincial legislature was the Central Provinces Tenancy (Amendment) Act which did confer these rights of transfer on occupancy tenants not to help the moneylender but in the belief that thereby rural credit would be revived as the power of selling his land would enable the cultivator to offer his land as security for his borrowings. Mr Greenfield spoke of the previous constitutional safeguard whereby the Melghat as part of Berar could be saved from sudden imposition of legislation unsuited for it by the old procedure whereby the Acts of the legislature could only be applied to Berar under an order of the Governor General in Council. Berar

*See paragraph 157

not being a part of British India. Though this safeguard disappeared from the date on which the Government of India Act, 1935, came into force, the safeguard is still there in another form owing to the Melghat being Partially Excluded under section 91 of the Government of India Act. Mr Greenfield went on to point out that although it was possible that with the spread of education the Korku would become able to survive without special protection, yet so far they had not displayed the adaptability or energy of other aboriginals in Berar, being necessarily inferior to the Gond, and not taking willingly to education. He pointed out that the Governments of the future might not continue the previous policy of substantial grants for the development of the Melghat which had been justifiable on humanitarian rather on economic grounds. He continued—

“The problem resolves itself into one of finance, and if subventions in the future are based on the economic importance of the tract, they will be insufficient to enable the Korku to raise himself by education to the level of his neighbours. Moreover in the raivatwari area his continued existence is not essential to anyone but himself. As an ayeman, who can stand the climate of the forest area, he is of real value to society, in fact almost irreplaceable. In the less unhealthy tracts administered by the Revenue Department his value as an agriculturist is small, and there are many able and eager to replace him. His sole hope of survival, even if education is made available to him, will, so far as at present can be foreseen, still be in a strict application of the principle of inalienability of tenure.

“It is an axiom that the appointment to a village predominantly or wholly aboriginal of a Hindu or Muhammadan Patel results in the exploitation oppression and if it is possible, the expropriation of the aboriginal. The Melghat Taluq has been excepted from the provisions of the Berar Patels and Patwaris Law under sub-section (2) of section 1 thereof, but the courts which deal with appointments are so accustomed to think in terms of this law that they frequently apply the educational test prescribed by rule 1 (a) thereunder. The result is the appointment of an educationally qualified outsider. Within the last 12 months I have had 2 such cases from the Amraoti District alone. This error is particularly likely to be committed in the villages which were transferred from the Melghat Taluq to several of the plains taluqs in the year 1912. The officer making an appointment may be entirely unaware that the village with which he is dealing is one of these transferred villages and even if he is, it is doubtful whether the exclusion of the Melghat Taluq from the operation of the law applies to villages subsequently transferred to other taluqs. Section 66 of the Berar Land Revenue Code has evaded the difficulty as it applies to the Melghat Taluq as constituted in the year 1911.’ I am of opinion that the Berar Patels and Patwaris Law should be similarly amended and that it should include a list of such villages, and that either a separate law should be drafted for the appointment of patels in the Melghat or that special provisions should be incorporated for them in

the Berar Patels and Patwaris Law If this is done the opportunity should be taken to provide that an aboriginal candidate for a post of patwari should if educationally qualified be given priority over all other candidates unless there are strong reasons why he should not be appointed I do not think it is practicable to lower the qualifications for appointments of patwaris in favour of the aboriginal as they are required to maintain accounts But for a Patel literacy is not absolutely essential and insistence on it usually makes the aboriginal the prey of the more intelligent and better educated outsider who thus secures the appointment In the Dharni tract the patels of the important villages are almost without exception non-aboriginals In some villages in spite of the prescriptions in the Melghat Manual the Patel family is the only one in the village not aboriginal In at least one such village the Patel is a Bania Such an appointment differs little from appointing a wolf to guard a flock of sheep If the Melghat Manual is not observed now it is less likely to be observed in the future and the only safeguard is in my opinion legislation

One of the best educated and best aboriginals of the province is Mr Batu the Korku revenue inspector of Chikalda who has also been revenue inspector of Dharni and is in contact with all the leading Korku of the Melghat and the adjacent Damjipura tract of Betul His view is that apart from considerable loss of land by Korku before the last Melghat settlement there has since been a further loss chiefly in the Dharni tract and there mostly to Muslims In his view the restrictions on the alienation of aboriginal land under section 66 of the Code and rule 16 of page 8 of the Melghat Manual had not been uniformly enforced many aboriginals have not been able to bid for land which has been auctioned because until 1939 they had not been allowed to pay the auction price in instalments despite rule 5 under section 53 of the Code (page 14 Melghat Manual)

182 The position before the Nelson Settlement of 1907-09 is stated in paragraph 6 of the introduction of the Melghat Manual —

The fugitive nature of the cultivation had been greatly exaggerated cultivation was permanent over a large area a lien on fallows being retained and the idea of private property in land had fully developed The yoke-rate system in its primitive form could hardly be said to exist and the needs of the tract had given birth to a bastard raiyatwari system Although the land was held ostensibly on a yearly occupation tenure and every occupant was liable to ejectment at 6 months notice the land was being dealt with exactly as if the occupier had the heritable transferable right which exists in the rest of Berar Land was being sold mortgaged and sublet to a great extent and a considerable area had been taken up by outside speculators who were waiting their chance to get it converted into a valuable property by the efforts of the aboriginals who would become their subtenants In the centre of the Amner pargana the aboriginal had been dispossessed of his land by the moneylender and

the liquor-seller, principally Bohras and Kalars from Burhanpur, and the land at the foot of the hills bordering on the Berar plains was almost entirely in possession of Berar cultivators. But elsewhere the older races still reigned supreme, over 50 per cent of the total occupied area being held by Korkus and Gond.

183 The following extract from the 1925—27 Melghat Settlement Report of Mr. R. M. Crofton, C I E, I.C S., indicates the position up to the time of his settlement:—

"Taccavi and the working of the restricted tenure rules — The necessity for protecting aboriginal occupants in their transactions with the local *saokar* has all along been recognised in the Melghat and the abuses which at this settlement were found to have crept in, in the number of cases in which aboriginals had *de facto* been ousted from their lands, not only in the transferred villages but also in the Melghat (nominal aboriginal occupants were evicted from 409 acres of land in the Dharni area at attestation, in all cases the actual cultivator or lessor being the creditor), show that this necessity is a continuing one. The fact also has been given full recognition by the Berar Legislative Committee which unanimously resolved to include draft clause 66 in the Land Revenue Bill, and needs no further emphasis. The object of restricting land alienation in the Melghat is therefore to secure to aboriginals the retention of their ancestral acres, but excessive rigidity in applying the restrictions is likely both to defeat its object and to retard the development of the tract. There are now a number of Korku and other aboriginal cultivators who advance small sums in cash and grain from their surplus profits, and though alienations to non-aboriginals should rarely if ever be permitted there can be little, if any objection, to the grant of permission without much detailed inquiry to aboriginals to transfer lands *inter se*. All aboriginal money-lenders are, after all, primarily themselves cultivators, and the extension of their holdings at the expense of their less efficient and thrifty brethren should lead to increased agricultural efficiency in the taluq. If this principle be followed and if liberal *taccavi* be given annually in the tract, the restriction on credit which may to some extent occur as a consequence of the tightening up of the administration of the rules in so far as the non-aboriginal moneylender is concerned, will not be felt. It is especially desirable that *taccavi* in the form of improved seed should be distributed, and steps are already being taken in this respect. If admissible, *taccavi* instalments should be recovered on 15th March, *i.e.*, midway between the *kharif* and *rabi* instalments of land revenue. These remarks apply with equal force to aboriginal holdings in the transferred Ellichpur and Akot villages, and special instructions on these lines to the respective Tahsildars are perhaps necessary.

"Residence — Aborigines still shift about a good deal, often for very trifling causes, and one of the unsatisfactory features noticed at attestation was the number of cases in which aboriginals had left the village while retaining their lands in the raiyatwari, generally kept fallow, in case later

on they might choose to return. In 144 cases comprising 2,609 acres such absentee occupants were ordered either to transfer the land to another resident occupant or to return to the village or in the last resort and after due warning and in 93 cases were evicted. It is important therefore to insist on the aboriginal occupant residing within cultivating distance of his lands and this fact should be verified annually during his tours by the Tahsildar.

184 Unfortunately the settlement was effected just before the great agricultural depression set in 1929 and the policy of making good the loss of aboriginal credit involved by the restrictions on his land tenure by means of liberal policy has not proved practicable. The Korku remains prone to shift from one village or one tract to another. Mr Layard writes —

I have heard of instances in which a Korku aboriginal occupant has left his land owing to the fact that he has not been able to pay his land revenue for two or three years and then seeks work under the Forest Department. Later he will again return and purchase other land and possibly repeat the same process over again. Aboriginal tenants also migrate from the Dharni tract to Burhanpur Tahsil for similar reasons and possibly again return later to the Dharni tract. Perhaps the chief reason for this is the improvidence of the aboriginal. The aboriginal is not at present a successful cultivator, and he leads a hand to mouth existence, leaving the land when he gets into difficulties or desires to shift elsewhere. Unlike the Hindu cultivator of the Berar plains the Korku is not wedded to his land and often does not mind leaving it. Undoubtedly the cultivator in the Melghat has been severely hit by the decline in the price of cotton. It is well known that even in the comparatively favourable circumstances of the richer villages of the Berar plain the fall in the price of cotton has resulted in the cultivator even in a year of good harvest reaping the smallest of profits. It is only natural therefore that in the Melghat where the standard of cultivation is of the lowest and where the land is naturally poor the result of the low price of cotton is even more seriously felt. To some extent this has been mitigated by the fact that there has been a large swing over in the Melghat to the cultivation of millets. This has not happened in the Berar plains to the same extent because the Melghat soil is more suitable for such crops. I have no figures with me but imagine that it was only in the best days of cotton that cotton cultivation in the Melghat outstripped the cultivation of other crops. It is interesting to note that near Dharni there was even a cotton ginning factory working for two or three years which came to grief directly the cotton boom ended.

He notes also that owing to the volume of recent legislation controlling moneylending and recovery of debts few moneylenders now openly ply their trade in the Melghat where also there is a total lack of facilities for co-operative credit. Successive Tahsildars and Naib Tahsildars are opposed to giving out much taccavi because they are painfully aware of the difficulties of recovery. Agriculture has so slumped in the Dharni tract that one of the most prominent and progressive cultivators in that area a

well known Muslim Bohra gentleman, owes heavy arrears of taccavi, which he has had to be allowed to pay up in small annual instalments, the difficulties of recovery from small aboriginal occupants can therefore be well imagined. Under recent Government orders, Tahsildars are held personally responsible for the collection of taccavi loans granted by them, and it is therefore not unnatural that in the circumstances prevalent in the Melghat they have little desire to give out large quantities of taccavi even under a system of joint security. Incidentally Mr. Layard considers that it is desirable that Government should issue special orders regarding the grant of taccavi in the Melghat and to enforce a larger standard of collection there than elsewhere in the province, otherwise he cannot see how adequate credit can be afforded to the aboriginal. Mr. J. K. Atal, I.C.S., the Sub-divisional Officer of Ellichpur, who reported on the expropriation of Korku in the Melghat, suggested that any statistics of actual loss of land by Korku would be misleading for three reasons, first the Korku's ignorance of areas in their possession or in the possession of their predecessors in title, secondly, the inaccurate record in the revenue registers of the remote ryotwari villages of the figures and the caste of the occupants, and, thirdly, the continuing nomadic tendencies of the Korku. He thought that one reason for these tendencies was a desire to escape from land revenue, which they think to be higher in the Melghat than in other localities, or to escape from epidemics or unforeseen calamities that may have befallen their crops for a year or two in succession. He found no recent cases of Korku land passing to Bohra or Marwari residents of Dharni around Dharni, but a much different state of affairs in the patwari circles around Bairagarh. This was once a flourishing Korku village until a few Muslim merchants and moneylenders were allowed to settle there. The village lands have completely changed hands. Very few Korku occupants remain and the most of their land has passed into that of the Muslims, a few Gaoli and one or two Marwari. The alien shopkeepers and moneylenders used to advance money or grain in small amounts to the Korku for cultivation or for marriages and other social functions. Each year after the cotton harvest these moneylenders would accept payment of interest only and would refuse or postpone acceptance of repayment of capital. The Korku, with his usual thriftlessness, regarded this as generous treatment by his creditor and borrowed more and more from him even when he did not really need to do so. This was what the creditor wanted, after about four to five years lending he suddenly pounced on to his victim and made it clear that the only way in which he could repay his debt and the exorbitant interest was by delivering up his land. Unfortunately at that time the revenue authorities were not enforcing the present restrictions of transfer of land from aboriginals to non-aboriginals. This is the origin of the wealth of most of the Muslims of the Dharni tract, and even now, though the rules under section 66 of the Code are being more strictly enforced, there is some expropriation. As the law now stands, it is pointed out that it is difficult to prevent this, if an absolute rule were made forbidding the sale of Korku land to non-aboriginals, the chief sanction for the payment of land revenue would disappear. If the Tahsildars are expected to recover land revenue from Korku occupants promptly,

then it is difficult to prevent them selling the land of Korku defaulters to non aboriginals. Almost the only persons who have the inclination or the cash to purchase defaulters' land are the Marwari and the Bohra. The Tahsildars fear that they will be censured for bad recovery. Mr. Atal suggests that the main cause of expropriation of land through sale in revenue recovery proceedings from aboriginals to others. He has frequently tried to make the local officers get aboriginals to bid for holdings sold for arrears but the answer has invariably been no aboriginal purchaser available. In the Chikalda tract he says that every year 30 or 40 holdings have had to be put to sale in only five or six of which did aboriginals bid in the other sales the only bidders are non aboriginals. Even where attempts are made to limit the bids to aboriginals means of evading the restrictions are found by putting up a bogus aboriginal purchaser. Mr. Atal writes—

This bogus bidder is made to pay for the land of his fellow aboriginal. All other competitors are persuaded not to compete either by means of bribes or else threats. Being an aboriginal and being the only bidder the chances are that the sale is knocked down in favour of this bogus bidder for a very low sum. As the Sub-divisional Officer does not know in most cases whether this bidder is bogus or genuine, the Sub-divisional Officer taking into consideration the fact only that the land has passed from one aboriginal to another is not even worried over the low price fetched and confirms the sale. The field is mutated in the name of the new purchaser and in the eyes of the revenue authorities the only result is that the name of one aboriginal is mutated for that of the other. Every one is happy as the real facts are not known to the higher authorities. But if the real facts were discovered, it would come out that the bogus bidder is merely a victim of the Marwari or some other well-to-do and intelligent non aboriginal who is fully conversant with ways of getting round the law. It does not harm him to purchase the field in the name of an aboriginal who is already in his power on account of some old debt or some other obligations. In any case the Marwari would have to get aboriginal labour to cultivate his field so he does not see any harm in getting his bogus bidder to cultivate this new field, on a system worked out by the non aboriginal who is behind the bogus aboriginal bidder. I came across one very interesting case of this kind. A wealthy Marwari of Dharni had had a number of Korku servants working for him for the last five or six years. Although he emphatically denied it yet I discovered that these servants were working in bond service. Two or three of them were actually working and in this manner were paying off the debts incurred by their parents. The Marwari knew that the revenue authorities if they discovered these facts, would take a serious view of it. He therefore has contrived to get round the difficulty by promising to forego the remaining two or three years of labour from these young men provided they promise to bid for the aboriginals' land during sales. The position then is that these poor Korkus instead of getting out of the clutches of their task master have sunk themselves in a deeper morass. Though penniless they are shown as possessing good landed property. Their master

the Marwari, out in all the capital and merely gets the Korkus to work for him in the fields which are on paper recorded in their own names but which in actual fact belong to the Marwari. The only advantage which the Korku in such a case derives is that instead of doing household duties in the Marwari's house he is made to work in the fields. This one clear instance I detected with very great difficulty, aborigines, I presume, fear to disclose these things to the revenue authorities, but such evils persist all the same and are probably quite common."

He considers that expropriation has gone already much further than is realised and that more drastic steps are needed, such as the total prohibition of further transfer of aboriginal holdings to non-aboriginals, especially the Marwari, Bohri and Pathan; he suggests further that revenue authorities should be empowered to accept payment of land revenue from Korku in kind instead of in cash, the recovery in kind being useful for establishing a system of grain depots "because the seed could be advanced to aboriginals."

185 Commenting on this Mr. Layard suggests the possibility that the present land revenue assessments are too high. It is noticeable from paragraph 18 of Mr. Crofton's Settlement Report that the acreage rate in the Kutkumbh and Gaulkhara settlement groups, which comprise what has been previously referred to as the Chikalda tract where the population has increased, are only 5 annas 2 pies and 6 annas 1 pie, respectively, whereas the acreage rate of surveyed villages of the Dharni-Bairagarh villages is 11 annas 5 pies, and of the old vote-rated villages of the Dharni-Bairagarh area 6 annas 7 pies. The acreage rate of tenant's rents in the Bhainsdehi tahsil of Betul fixed in the 1916-21 settlement, which remains in force, is only 6 annas 10 pies. Mr. Crofton's settlement of the Melghat took place in the twenties when the cotton boom was still at its height and before the great slump of 1929. Mr. Layard instances the importance of the fact that farming in the Melghat at the best of time is a heart-breaking business and quotes the case of a well-known Scottish lady who farms some 300 acres in the Dharni tract and avails herself freely of the help and advice of the Agriculture Department, yet finds it impossible to make more than just enough to pay her land revenue.

186 Mr. Layard also knows cases in which aboriginals have purchased land in the Melghat as bogus bidders on behalf of moneylenders. Actually, however, he says, that not very many sales for non-payment of land revenue take place, what happens in most cases is that the aboriginal occupant fails to pay land revenue for two or three years and then relinquishes the holding, with the result that the land revenue arrears are remitted and the land classified as H class (unalienated unoccupied land available for agricultural purposes). There is already a very large area of H class land in the Melghat and figures of this area and the additions to it in the last two years would, Mr. Layard says, be instructive. To make it easier for aboriginals to buy land in land revenue sales, Mr. Layard passed on the 7th December 1939 the standing order, which is reproduced as an Appendix C to this Report. To the best of his knowledge these directions are now

ing carried out and he finds it difficult to say whether it is possible or desirable to go further. If, he thinks Mr Atal's suggestion of entire prohibition of the future transfer of aboriginal lands to non-aboriginals were adopted Government would have to be prepared to forego a certain amount of land revenue as much land would pass out of cultivation and the large recent increase of H class land would be accentuated.

187 The order reproduced in Appendix C is on sound lines but it will need constant watching to enforce it and considerable latitude to the Tahsildar of Dharni over recovery of land revenue in that tract from true aboriginals. Judging from the fact that Gaoli are mentioned as frequent bidders when Korku lands are auctioned for arrears it seems somewhat doubtful whether Gaoli are rightly notified as a backward caste under section 66 of the Code. They are generally distinguishable from semi-aboriginal Gowari and we have already noted Mainprize's comment that the Goli in the Morai Taluq are Maratha stock raisers not needing protection. At least a better measure of protection seems necessary for the true aboriginal—Gond Pardhan Korku Bhil Nahal Moghia Bhuta and Gwari than for Gaolan Gaoli and Banjari. It is difficult to understand the reason for protection of Gosai at all. The adoption of Mr Atal's suggestion in favour of true aboriginals only is recommended. So far moreover as preference in auctions to true aboriginals is concerned rules 3 and 4 of the former rules on section 32 of Mr Crofton's Settlement Report seem preferable to rules 4 of the present rules under section 53 in chapter II of the Melghat Manual.

188 To sum up, the main causes of such loss as now goes on in the Melghat are sales for arrears of land revenue and the operations of moneylenders which though no longer as potent as before the Nelson settlement continue to some extent. It is desirable to go slow over recovery of land revenue and to save in this tract and to re-examine the assessment of aboriginal lands in the Dharni Bairagarh groups (any reduction however could be confined to true aboriginals). The complete prohibition of transfer of aboriginal land (i.e. the land of true aboriginals) to non-aboriginals should be tried in the Dharni tract. If a system of grain depots be instituted for financing agriculture in the Melghat taccavi should only be granted in kind and recovered in kind and recovery of land revenue arrears in kind might also be permissible where it is necessary to build up or replenish grain stocks but only from true aboriginals and in the more highly cultivated villages of the Dharni Bairagarh tract.

189 Even with this the main problem of the Melghat ryot areas will remain the expansion and stabilization of cultivation. The Dharni tract would be an ideal area for a large scale experiment in teaching of agriculture and for uplift activities of all other nation building departments under special staff concentrated in the area somewhat on the lines of the Piparia experiment for a period of ten years.

190 Enquiries were made into the conditions in the remote parts of the Melghat taluq but disclosed no particular cause for loss.

CHAPTER VI.—VILLAGE OFFICERS IN ABORIGINAL TRACTS

Munro's firm conviction that one essential of good Government in India was to make the fullest use of the indigenous agencies already to hand, the village headman, the village accountant, the village watchman and the village panchayat "

Sir Frank Noyce, reviewing Dr K. V. V. Sastri's *The Munro System of British Stewardship in India* in *Public Administration*, Volume XVIII, page 148

191 This subject is given a chapter of its own because of the importance in my view of securing that so far as possible aboriginals are managed through their own fellow-tribesmen. The matter has been touched upon and to some extent anticipated in previous chapters—reference may be made to paragraph 25 describing the mismanagement of aboriginal villages in Saugor district by agents of the Daga family, to the account in paragraphs 38-39 of the way in which non-aboriginal patwaris, patels and malguzars deprived Mandla aboriginals of their best lands, to the various notes in paragraphs 57 to 69 on transfers of land in villages of Chhindwara Tahsil, to the account in paragraphs 108 to 115 of the *thekadari* and *gaontiahi* system in Drug District to the discussion in paragraph 132 of the gradual buying out of non-aboriginal proprietors of aboriginal villages, and to the discussion in paragraphs 153-154 of the leasing of villages. These references relate to the problem in the Central Provinces. References relevant to the problem in Berar are the summary in paragraph 158 of Mr. Greenfield's recommendation of legislation to secure priority for aboriginals in appointments of village officers, Mr. Mainprice's report reproduced in paragraph 169 with its instances of the acquisition of the *patelki* of aboriginal villages by non-aboriginals, and, above all, the last quotation in paragraph 181 from the 1935 memorandum in which Mr. Greenfield recommended the amendment of the Berar Patels and Patwaris Law or the promulgation of a separate law for the appointment of patels in the Melghat giving priority to aboriginal candidates.

192 In most of the aboriginal tracts of the Central Provinces the position is that the malguzar is a non-aboriginal and generally an absentee, who manages his villages through agents. The agents often do not reside on the spot. Therefore, in order to comply with the Muqaddam Rules under the Central Provinces Land Revenue Act, he has to appoint for each village or group of villages a *muqaddam-gumashta* described in section 190 (2) of the Land Revenue Act as an "agent, to be approved by a Revenue Officer not below the rank of Tahsildar, who shall be called the *muqaddam-gumashta*, to perform the duties of *muqaddam*", this is unnecessary if the village is uninhabited or in any village specifically exempted by the Deputy Commissioner. The duties of *muqaddam-gumashta* are the same as those of the

qaddam and there is a list of them at pages 106—114-A of volume I of the Central Provinces Revenue Manual a list so notable that needless to say most of its contents are neglected the average underpaid and illiterate villagers put in as *muqaddam gumashta* of aboriginal villages for absentee landlords. On average remuneration which these men get it would be utterly impossible to expect them to comply strictly with this list of charitable sanitary police educational and other works to which the landlord generally adds assistance in the collection of rent and grazing dues from the villagers.

193 My general view in this matter is foreshadowed in paragraph 29 of my published *Mandla Notes*, where I observed that generally speaking all influential aboriginals avoid the post of *qaddam gumashta* where the *malguzar* is a Hindu or Muslim absentee because the remuneration is so small and so irregularly paid and the work so considerable and I suggested that they should be appointed by Government on a fixed remuneration to be recovered from the *malguzars*. It is obvious that if there is to be effective control of village sanitation crime and general management or any real agency for influencing the villagers in the direction of improved agriculture and betterment generally it can only be through an effective village headman with perhaps some revived informal councils of village elders or panchayats. The *gumashta* is a man of no influence merely a drudge appointed as a servant of the absentee landlord on a starvation wage and he will be useless for these purposes. In 50 predominantly aboriginal villages of the Bithli tract of Bihar, patwari circles 19 to 26 I found for example that in 23 villages the landlord resided and was the working *muqaddam* (15 Powar 1 Bania 2 Sunbi and 5 Gond) and that in the other 27 villages where the landlord was an absentee Hindu (Powar 15, Bania 9 and Sunbi 3) 26 of the 27 men appointed as *muqaddam gumashta* on their behalf were aboriginals on cash remunerations varying from Rs. 3 to Rs. 32 a year or were remunerated by rent free land varying from 12 to 36 acres in area or were paid in kind three *maunds* of rice a year. Every one of these was a man of straw with no influence over his fellow tribesmen and quite useless therefore as an agency in any scheme of betterment or reviving local institutions.

194 To get more complete information on this point by reference to questions 15 to 17 of my second questionnaire I asked the Deputy Commissioners of 11 selected districts to select typical villages of about 50 *malguzari* villages and report how many of the *muqaddam* and *gumashta* were aboriginals of the chief tribe of the village how many *gumashta* had been appointed by the *muqaddam* under section 190 (2) of the Land Revenue Act and how many by Revenue Officers under section 190 (4) owing to the failure of the *muqaddam* to appoint an agent within a reasonable time. They were asked also to report the average remuneration in cash land and kind of *gumashta* appointed (1) by the *muqaddam* and (2) by Revenue Officers whether they received their remuneration regularly how many aboriginal *muqaddam* and *gumashta* were real tribal headmen or persons of influence and how many were insignificant persons of no local influence.

whether difficulty was experienced in getting good aboriginal *gumashta* because of the low remuneration and the amount of work involved, and how far Revenue Officers were insisting on the observance by the *muqaddam* of new Muqaddam Rule VI (2) that in villages in which aboriginals predominate no person who is not an aboriginal shall be appointed *gumashta* unless the Revenue Officer is satisfied that no suitable aboriginal is available. Finally I asked for their opinion on the possibility of creating *muqaddam* circles under Muqaddam Rule II of three or four villages in aboriginal areas where individual villages are so small that the remuneration is inadequate. To the provision in Muqaddam Rule VI that aboriginals should normally be appointed *gumashta* in aboriginal areas, a reference has been made before in the discussion of the possibility of expropriating non-aboriginal *malguzars* in paragraph 132. Unfortunately it is only the *gumashta* to whom this reservation applies, so that even in an aboriginal village where aboriginal tenants predominate, and a share of the proprietary rights is still held by an aboriginal, the latter has no right of priority over the other co-sharers in appointments of *lambardar* or *muqaddam*. There is no real reason why a non-aboriginal *malguzar* or *lambardar*, even if he resides in an aboriginal village, should be *ex officio muqaddam* or why it should not be possible so to amend the Land Revenue Act or the rules thereunder as to provide that the *muqaddam* must be an aboriginal in villages with a large aboriginal majority of inhabitants.

195 The replies to the questionnaire were somewhat meagre in the sense that they confined themselves almost purely to figures without drawing inferences from them or commenting on them. The replies disclosed that in about 1,950 villages examined there were 763 aboriginal *muqaddam-gumashta* and about 217 resident aboriginal *muqaddam*. It is claimed that the new rule is followed almost everywhere, so that presumably the numerous non-aboriginal *gumashta* were appointed before the new rule came into force. The remunerations vary immensely. In Raipur District, where the question was examined in Sihawa Circle, the Khakori tract of Mahasamund Tahsil, 13 villages of Baloda Bazar Tahsil and all the 83 villages of Fingeshwar Zamindari, cash remuneration varying from Rs 12 to Rs 19 per annum with or without land varying from three-fourths of an acre to 4 acres of rice land. In the Sihawa circle some *gumashta* are paid 10 *khandi* of rice per annum. In the Panabaras zamindari of Drug no cash payments are recorded, but rent-free land is given to the *gumashta* varying from 5 to 30 acres in area. In the Sahaspur-Lohara Zamindari of Drug the *gumashta* receives either cash varying from Rs 8 to Rs 10 or four or five acres rent-free land. In Baihar Tahsil in Balaghat District the remuneration is Rs 8 cash or about 24 acres of dry cultivation rent-free, or three *khandi* of grain. In Jubbulpore District in the Barwara circle of Murwara Tahsil the average remuneration is only Rs 5 cash and in 50 aboriginal villages of Jubbulpore tahsil Rs 4. In Hoshangabad District in Narsinghpur Sub-division the *gumashta* gets an average cash payment of Rs 7 or 11 acres rent-free land, in Sohagpur Tahsil in 35 villages the average cash remuneration is Rs 16, while some had 8 acres rent-free land and a few

4 maunds of wheat a year valued at Rs 36, in Hoshangabad tahsil the average cash remuneration is Rs 8 and rent free land 4 acres. In Mandla District in 47 villages examined in Niwas, those paid in cash had an average remuneration of Rs 7 and those in rent free land assessed to Rs 6 or Rs 7. In the Padlia circle of Harsud Tahsil of Nimar aboriginal *gumashta* had an average cash remuneration of Rs 20 or a rent free land holding of 18.3 acres. In Chhindwara District in Sausar Tahsil the average remuneration was Rs 8-2-0 cash or Rs 14 worth of grain. In Chhindwara Tahsil the cash remuneration varied from Rs 7-4-0 to Rs 12 and the average rent free holding was 6.08 acres. In Amarwara Tahsil cash remunerations were only Rs 4 or Rs 5 and those paid by rent free holdings had areas assessed at from Rs 8 to Rs 10. In Seoni Tahsil cash remunerations averaged Rs 9 and about 10 per cent of the *gumashta* had also some rent free land. In Lakhnadon Tahsil the remuneration is either Rs 5 cash or about 9 acres of land. In Betul District in Bhainsdehi Tahsil aboriginal *gumashta* received Rs 15 in cash or 10 acres rent free land, and in Betul Tahsil Rs 12-8-0 cash. Lastly in Chanda District in 48 villages in the north of Garchiroli there were 44 aboriginal *gumashta* of whom 16 had an average cash remuneration of Rs 6.12 an average rent free holding of 10 acres and the rest worked for no remuneration at all. Almost every district reported that practically none of the *gumashta* were real tribal village headmen or men of any influence. There were some exceptions notably in the Sihawa circle of Raipur the Chanda zamindaris and Balaghat and Hoshangabad Tahsils but of all the 763 *gumashta* only 168 were said to be men of influence. Only 8 of all the *gumashta* had had to be appointed by a Revenue Officer under section 190 (4). It is alleged that the *gumashta* receive their remunerations regularly except in Mandla Chanda and parts of Chhindwara though this is stated with some hesitation in Balaghat and Betul. My own experience in each district where I have served is that remuneration is paid very irregularly. As however all the districts but Jubbulpore and Chhindwara report that there is no difficulty in securing aboriginal *gumashta* on the present remuneration perhaps remunerations are sufficient to attract the type of hireling whom the average *muqaddam* appoints as his agent. There is not a single district which reports that it has experimented with grouping of villages for the appointment of *muqaddam* and the general trend of opinion is against the experiment on the ground that villages are so far apart or so split up into separate hamlets in aboriginal areas that the system would not work. This is not convincing. Kotwars in aboriginal areas are frequently appointed for groups of villages. Patwaris everywhere work for groups of villages and in the aboriginal tracts of Bastar and Hyderabad States I have seen head men or patels working for clusters of hamlets nominally constituting one revenue village. The main point however is that the remunerations at present offered are far too low to attract people who could reasonably be expected to fulfil the many duties imposed under the Land Revenue Act on the *muqaddam* or to become true village headmen. The Rajaborari estate in the south of Harda Tahsil belonging to the Radhaswami Satsangh Sabha of Agra shows what an enlightened landlord would do by paying Rs 75 per annum to its Gond and Korku *gumashta*.

196 The only interesting comments on the question come from Mr Hyde, Deputy Commissioner of Mandla—

“There is a high proportion of Gonds, Baigas, etc., amongst the *muqaddams* and *gumashtas* although there are many cases of *gumashta-muqaddams* being nothing more than a malguzar’s agent or petty servant who may be of any caste and is possibly an outsider. The remuneration of the *gumashtas* is generally extremely small and they are not regularly paid. Only a day or two ago the *muqaddam* of Naria, near Shahpur, complained to me that the absentee malguzar had given him no remuneration for three years. In this village where the rental collection amounted to Rs 261 his remuneration was only Rs 6 a year and he did not even get it. This case is quite typical. It is naturally difficult to get good aboriginal *gumashtas* in these circumstances. In many villages the *muqaddam*’s work is heavy, especially where roads or tracks intersect or where there are no other villages within easy distance. In villages of this kind officials almost invariably have to halt and the demands for *rasad* supplies are consequently excessive. It is almost impossible to avoid this on account of the distances, the relatively few negotiable routes and big blocks of forests. If one marches along the south of the district one has to halt at certain villages, e.g., Chara, Gwara, Masna. The Baiga *gumashta-muqaddam* of the last named village told me he wanted to resign. His remuneration was clearly insufficient and I told him I would get it raised. He retorted that this would be no good as it would all be eaten up. Officials of every grade were constantly halting at his village and the unfortunate man was always having to produce rations. Although most superior officials down to the grade of sub-inspector and revenue inspector paid for what they received, vaccinators, constables, forest guards, etc., did not. I have issued a strict departmental order about this but in any event the work of the *muqaddam* in such a village is bound to be heavy and unpopular.

It is frequently impossible to get a satisfactory *muqaddam* in many villages and it will often be found that the man appointed is insignificant and of no local influence. Aboriginal raiyatwari patels who are substantially remunerated by two to three annas in the rupee of land revenue are generally persons of better influence and standing. I think it is necessary to fix, by law, a minimum rate of remuneration for a malguzari village *muqaddam*, and strict check should be kept with regard to payment. A malguzar might be required to certify in writing each year that he had paid the amount to the *muqaddam*.”

197 The contrast between the aboriginal patel of a raiyatwari village and the aboriginal *muqaddam-gumashta* of neighbouring malguzari villages is indeed striking. The former is a true leader of his village the latter is the drudge of the malguzar and the touring subordinate. The Chhattisgarh districts failed to respond to my request for a special report on the working of the survivals of the old *gaontiahi* system under which the *gaontia*

was really a hereditary village officer as explained by Mr. Willis in his Bilaspur Zamindaris Settlement Report, but unfortunately this point has been overlooked in all the replies.

198 The problem is how to make the true tribal headman the person wielding the authority of the *muqaddam* in the village. First of all he must get a reasonable remuneration; secondly he must have security of tenure; thirdly he must not suffer from the *begar* of Government or zamindari officials; and fourthly he should be appointed by Government on a remuneration fixed by Government. As the remuneration will have to be paid by the proprietors, the system of grouping villages seems essential and might well be tried as an experiment. Experience elsewhere has shown that for the contentment, betterment and sounder administration of aboriginal areas it is essential to work through the aboriginal leaders. They also should control the recovery of rent and the acceptance of surrenders, grant of new lands and the like. Perhaps it would be difficult to give them these *lambar-dari* powers after so many years of these powers being exercised by non-aboriginal *malguzars* in this province, but at least *muqaddam* powers should go to them. It is interesting to note that in Chapter IV of its Report the Sambalpur Land Laws Committee, Orissa, 1939 recommends the abolition of the *lambar-dari* system and its replacement by collecting agents appointed by the Deputy Commissioner for every village to collect rent on a commission basis to be paid into the treasury in the case of ryotwari villages and to the proprietors in the case of *malguzari* villages; the agent to be remunerated by 10 per cent of the actual collections up to 75 per cent of the demand, 12½ per cent of actual collections above 75 per cent and up to 90 per cent, and 15 per cent of actual collection above 90 per cent. In fact the proposal amounts to the appointment of *patels* in *malguzari* villages. In this proposal there are the germs of a solution of this problem of village management in aboriginal *malguzari* villages without the more drastic step of buying up the non-aboriginal *malguzar*, the taking away from him of the powers of collection would transform him into a rent receiver and manager of his home farm while the rent collector who would normally be an aboriginal *patel* would gradually develop into the position of a true village headman in village management.

199 In Berar it is important to insist upon the aboriginal *patels* in aboriginal tracts. The quotation from Mr. Greenfield's 1935 memorandum in paragraph 181 summarises what is necessary in the Melghat. I suggest only that the policy of aboriginal *patels* for aboriginal villages should be extended beyond the confines of the Melghat. Mr. Mainprize's enquiry in Morvi shows something of the consequences of having non-aboriginal *patels* and *patwaris* in Gond villages. He observes—

Practically all the Gond villages are non-*watan* Government villages. The *patel* at least should be a resident Gond, but I found instead that moneylenders from the big villages had taken both the land and their *patelki* from the Gonds (e.g. Karli and Bhilukundi) or that

outside Kunbi were working (e.g., Kumdara, Karwar, Ganeshpur, Ambhori), and in no single case did the patwari live in a purely Gond village, while there was no Gond patwari in the taluqa. This has now been to some extent remedied, but still I have only been able to appoint one Gond patwari (Nathu Manglaji to Wai Khurd, etc.) and many of the Gond patels are not fully qualified educationally, owing to their poverty and the lack of an accessible school. Though the villages are non-*watan*, the Gonds usually have their recognised leader or Mahajan and recognise his family as the rightful *patelki* family. Indeed they are very conservative. I recently dismissed the non-resident patwari of Jamgaon and four other Gond villages, who by cheating three virtually illiterate Gond patels had defalcated Rs 626, but when I wished to appoint a resident Mahar patwari, the Gond protested violently that they wanted a caste Hindu patwari in spite of their bad experience. Emoluments in these villages with poor soil being 5 per cent of the land revenue assessment are quite inadequate, ranging from Rs 16 to about Rs 40 usually, while the outside *qabzedars* give more trouble in land revenue recovery, and a few journeys to the Tahsili with remittances swallow up all the patel's emoluments."

It is obviously desirable that where there are no *watandari* rights to be considered in appointments of village officers, the Sub-divisional Officer should be free to appoint aboriginals when they are available, and it is not necessary to insist upon the same degree of educational qualifications for aboriginal patels as for others. No list of non-*watandari* villages is kept and the Berar Patels and Patwaris Law does not deal clearly with appointment of village officers in such villages. So far there has been rigorous insistence on the educational qualifications required by rule 1 of the rules under the law, and appellate courts have held that only in the most exceptional circumstances can these qualifications be waived. The emoluments to village officers are fixed by Appendix B attached to the law. Government has from time to time considered the question of varying the scale, and at one time compensatory allowances were fixed in certain villages to bring the remuneration up to a reasonable minimum, but under the Commissioner's order all these allowances were abolished a few years ago. There are not many villages in which the remuneration is less than a minimum of Rs 240. But Mr Layard observes that such cases naturally exist in the smaller villages. Though the prestige of the *patelki* frequently makes up, in the opinion of the patel, for the smallness of the remuneration in comparison to the work to be done, I agree, however, with Mr Mainprice's further recommendation that—

"The process of replacing non-residents and outsiders with resident Gond patels and patwaris should be continued, and the Sub-divisional Officer should keep a list of such villages and of suitable aboriginals. It will not be possible immediately to provide Gond patwaris everywhere, but Mahars can be appointed. There are sufficient educated aboriginals for *patelkis*, but the great drawback is that the

emoluments alone are quite insufficient to support a patel entirely and a patwari needs about six villages to have an adequate circle. The remedies are the fixing of a minimum scale for village officers independent of the land revenue demand or the grant of waste or *mam* lands to them. A minimum scale would be Rs 60 for patels and Rs 200 for patwaris. At Mehedri the *kamdar* Mahar gets Rs 96 and has an *mam* field while the patel also a Mahar gets Rs 16 per annum. It is ridiculous to expect a man with these low emoluments to furnish security which is now demanded from all Government patels and patwaris.

It will be necessary also to depart in appointing successors to non aboriginal patels of aboriginal villages from the principle laid down in the published ruling no 63 dated September 1931 of the Governor in Council in *Dhondu Mahadeo Nikhade v Mohammad Abdul Gafur* that in selecting a successor to a non *watandari* patel preference should be given to the heirs of the last incumbent if they are qualified.

CHAPTER VII—DEBT

It must be clearly recognized that the worst policy towards debt is to ignore it and do nothing.

(Report of the Royal Commission on Agriculture in India)

200 Closely allied to the question of loss of land and working with it in a vicious circle is the question of aboriginal debt. The aboriginal population increases and there are more mouths to be fed from the produce of the same holding or in good times the general scale of social expenditure on weddings and other ceremonies increases and money is borrowed at excessive interest which cannot be met from the produce of the holding. The debt increases and soon the cultivator not only hands over part of his land but also pledges the labour of himself or his son or his younger brother to his creditor and all the while the burden of the debt gets swollen by preposterous interest charges beyond his understanding or his capacity of ultimate repayment. If on a father's death a holding otherwise economic has to be divided up amongst sons the same course follows as the families of the two sons cannot earn their livelihood from a holding which formerly supported one family only. Or again a travelling pedlar of cloth or trinkets offers his wares to the aboriginal on credit and the aboriginal soon finds that the interest on these petty transactions swells after a few years to incredible demands. Studies of agricultural indebtedness whether by the Banking Enquiry Committee or in Settlement Reports have concentrated generally speaking on the problem of debt in the more open and better developed areas and there is a tendency to assume that debt is negligible amongst the aboriginals. Thus the Provincial Banking Enquiry Committee of 1929-30 speaking on page 698 of Volume II of its Report of Chhindwara District states that it did not think it necessary to make an intensive survey of any of the more jungle villages where the people depend for their maintenance on precarious *kodon* and *kutki* crops and forest produce such as *mahua* because there the aboriginals have practically no credit and as a rule are not indebted being primarily forest dwellers rather than cultivators.

201 In the present enquiry similarly the Deputy Commissioner of Betul has opined that aboriginal debt is generally far less than that of other people and that its effects are exaggerated, on tour he had always been surprised to find how few of the aboriginals he questioned were in debt except where there was a co-operative society, when as a rule all the members were hopelessly involved. He admitted also that several aboriginals were in arrears of taccavi, but suggested that there was little debt owed by aboriginals to private individuals. The account of loss of land in his district given in paragraphs 47 to 51 above gives an entirely different picture, and the following up of some of the cases in which aboriginal tenants had lost their land to moneylenders and others might have changed his mind. The two Chairmen of the Debt Conciliation Boards which worked in Betul District had a different experience. Mr R D Beohar, Extra-Assistant Commissioner, writes that though the aboriginal tribes resemble the lower castes in being victims of social customs, improvidence and the vagaries of the seasons, and therefore in debt, yet they differ from them by being so utterly illiterate that no one is so easily duped by moneylenders, even now many Gonds cannot count beyond 20 and almost all aboriginals accept their liability for debts alleged by moneylenders to have been incurred by their fathers or even ancestors, without question. The particular points which Mr Beohar noted amongst the aboriginals of Betul and Nagpur Districts were—

- (1) that they were generally exploited by moneylenders, landlords and others;
- (2) that they were subject to usurious rates of interest varying from 2 per cent a month to 4 pice per rupee per month, two pice being considered an ordinary rate, while for grain loans they had to pay 25 or 51 per cent,
- (3) the moneylenders never keep correct accounts or explain them to their debtors and every kind of manipulation of accounts is common,
- (4) until the Land Alienation Act came to save what was left, aboriginals had lost great numbers of villages,
- (5) if aboriginals are not so universally in debt as others, yet the debt incidence is high enough, probably 30 out of every 100 being in debt and owing from 20 to 40 times their rent, and
- (6) many an aboriginal migrates from his fields and his village through fear of the consequences of his indebtedness

202 Mr C J R Naidu, Extra-Assistant Commissioner, the other Chairman, noted that the Betul Gond is born a debtor and is always in debt even though his family is a self-contained unit producing almost all its needs and supplementing its crops in hard years with roots and fruits. They are ignorant and lack foresight and thrift. If a Gond borrows Rs 10, he signs for Rs 20 and the creditor never takes less than 20 per cent interest. The Gond is quite unable to check the simplest account. Every year the creditor takes his debtors' produce from the threshing-floors before they can carry it home, and he credits the value of

the produce so removed only against accumulated interest and rarely if ever against principal. The Gond soon defaults over interest if his crops fail or for other reasons and the debt of a debtor rapidly accumulates. The Gond's high sense of honour over repayment persists but the usurious interest makes it impossible for him to clear himself, he has the same sense of honour even in the many cases where debt is ancestral and the present debtor has never personally borrowed a pie. Many Gonds he observes are losing their holdings to moneylenders and becoming sub tenants of their lands or farming them as hired labourers of their new owners.

203 The Deputy Commissioner nevertheless thought that any measures for protecting aboriginal debtors should be opposed as being grandmotherly and savouring of class discrimination. In the Yeotmal district also it has been seen that aboriginal tenants are steadily losing their land. There has not been a very detailed examination of the reasons or the extent of aboriginal debt in that district. As more than one of the extracts from reports recorded from other districts and quoted in this Chapter will show and as any one who has tried making investigations of any kind amongst aboriginals knows well it is not easy to get an aboriginal to talk freely on short notice about his intimate concerns whether they be details of his family or his tribal organisation or his religion or what touch him even more intimately his relations with the *sahukar* or moneylender the sole source from which he can hope to obtain money at short notice for his cultivation for bullocks for a wedding or for payment of a fine or for any other cause. The Yeotmal report however suggested that the problem of aboriginal debt was not very serious. In the Kinwat range the Deputy Commissioner questioned an assembly of Andhi Kolam and Banjara. Even this meeting produced the following three instances —

(1) An Andhi borrowed Rs. 100 from one Mahadu Akolkar of Bhawani on an interest of Rs. 25 per annum to defray the expenses of his second marriage. Rs. 50 of this he spent on the marriage feast to his caste fellows, and Rs. 50 in providing clothes to his bride and her relations. Apart from such payment as he received for forest departmental work his annual income from agriculture appeared to be Rs. 61.

(2) Another aboriginal had inherited a debt of Rs. 60 from his father and had borrowed Rs. 20 on his own some 20 years ago and was still making payments to the *sahukar*. He claimed to have paid to the *sahukar* Bhiku Marwari of Bhawani Rs. 50 cash as well as a cart load of cotton and 10 maunds of guar and stated that he had still to pay him Rs. 175. He further said he had no receipt for any of his payments nor had he ever heard about the Debt Conciliation Board or the Debt Relief Court.

(3) Another man had borrowed Rs. 48 for which he pledged 12½ tolas of silver and one tola of gold with Bhiku chand *sahukar* of Bhawani. He had not received any receipt for the silver and gold.

The Deputy Commissioner recognises however that if illiterate aboriginals like these are to be saved from the clutches of the moneylender they must be provided with authentic receipts for

all payments and transactions in the few villages with schools the school-teacher, he thought, could help as he generally found him to be held in respect by the village elders, while revenue and police officers should take action against moneylenders who do not give receipts. He noted that action was clearly necessary for giving publicity amongst the local aboriginals to the provisions of the Central Provinces Relief of Indebtedness Act, 1939, although when the debts are very small, Debt Relief Courts cannot themselves do anything to improve the position. He thought that the real necessity was "executive action" against the more unscrupulous type of moneylenders.

204 The time at my disposal for touring in connection with this enquiry has made it impossible to undertake any personal detailed survey of aboriginal debt. I must let extracts from various district reports speak for themselves. In the previous Chapters the notes on different districts and quotations from the district reports have already made much mention of the ways of moneylenders, attention is drawn to the quotations from Mr R C V P Noronha's Saugor report in paragraphs 23 to 29 and from Mr A N Jafri's Bilaspur report in paragraph 103.

205 The first extract is from the final report of Rai Sahib N P Shrivastav, now Deputy Secretary to the Provincial Government in the Revenue Department, on the working of the Chhindwara Debt Conciliation Board. In this report, written in June 1938, he devoted a special section to aboriginal indebtedness. This related to a district bordering on Betul, where the Deputy Commissioner thought that the aboriginal debt was not much of a problem. The extract has been slightly edited—

"As the aboriginals form one-third of the total agriculturists residing in Chhindwara and Amarwara Tahsils, separate statistics are given here of their indebtedness as revealed before the Board

(a) Total number of cases instituted and disposed	1,206
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Amount involved—

According to debtors	Rs 5,77,064
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According to creditors	Rs 7,55,677
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(b) Cases dismissed under section 7, Debt Conciliation Act	117
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Amount involved, according to creditors	Rs 67,946
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N B —Of these 98 cases involving an amount of Rs 55,419 were dismissed in default of the applicants on account of settlement outside the Board

(c) Cases dismissed under section 14, Debt Conciliation Act where no amicable settlement was possible	79
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Amount involved, according to creditors	Rs 84,511
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(d) Cases settled under section 12 (1), Debt Conciliation Act	1,010
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Amount involved, according to creditors	Rs 6,03,220
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Amount due to the creditors who have conciliated their claims	Rs 5,75,196
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Amount remitted	Rs 3,79,763
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The remission works out to 64 per cent in round figures.

The analysis of 1,549 claims conciliated in these 1 010 cases settled before the Board is as follows —

Nature of claims	Number of claims	Amount involved according to creditors	Amount at which conciliated
(1)	(2)	(3)	(4)
		Rs.	Rs.
Mortgages	29	82 755	40 872
Decrees including mortgage claims	70	10 912	4 612
Claims in pending civil suits including mortgages	187	13 715	5 890
Other claims	1,263	4 67 814	1 44 129
Total	1 549	5 75 196	1 95,503

Section 15 (1) Debt Conciliation Act—Penalty certificates—In 106 cases 294 claims involving an amount of Rs 47,218 were penalized under section 15 (1) Debt Conciliation Act as the creditors would not agree to conciliate.

Application of the Central Provinces Land Alienation Act—This Board devoted particular attention to the indebtedness of the aboriginals who approached it. Scrutiny of the statements of accounts filed by their creditors showed that in secured claims the mortgage was invariably by conditional sale and the creditors would not agree to leave any property for the maintenance of the debtors. The Government was therefore moved to extend the application of the Land Alienation Act to the whole of the old Chhindwara district instead of as before only to the Jagirs. This took effect on the 25th November 1936 and had a very salutary effect in bringing about conciliation of secured claims the land of about 100 Gond proprietors has been saved.

A few striking aboriginal cases are quoted here —

Case no 1898 of 1935-36 (debts of an occupancy tenant)—The Gond debtor had only occupancy land rental Rs 21, and three pairs of plough bullocks. His total debts were Rs 5 045 due to three creditors on six different claims. The principal creditors were two Kalar brothers and the malguzar of the neighbouring village of Dongria. Their claim came to Rs 1,128-7-0 on a civil court decree dated July 7th 1932 for Rs 1,371 plus Rs 2 956-9-0 on a bond (within limitation) dated the 5th March 1931 for Rs 2 400 principal renewed on old accounts and a bond again of the same date (March 5th 1931) for Rs 145 principal (within limitation) purporting to have been advanced in cash total Rs 4 085. The transaction was a very old one dating back to 1905 when the applicant's father took the original loan of Rs 200 (purpose not known) and from then till 1931 eleven new bonds were executed each purporting to be for a new cash loan and not mentioning the old accounts. During this interval the debtor paid Rs 600 by sale of property on June 27th 1926 and made over before an informal panchayat 28 cattle valued at Rs 700 in 1931. He also leased all his land to the

creditors for two years, which represents at least Rs 200 lease-money. These payments were admitted by the creditors, and during the life-time of the applicant's father there must have been some other repayments. But even the admitted repayments came to Rs 1,500, yet still a debt of Rs 4,085 was outstanding against the debtor. These details were taken from the actual bonds, which the chairman secured from the creditors, though they gave out publicly for income-tax purposes that they did not maintain any regular account books.

"The liability of Rs 4,035 on the three claims including the decretal amount of Rs 1,128-7-0 due to Ramdas and brothers was conciliated by the Board at Rs 180 payable in 10 years at Rs 18 a year free of all future interest. This is not all. There were still two other creditors for Rs 960 on three claims and they were penalized under section 15 (1) of the Debt Conciliation Act postponing recovery during the subsistence of the agreement in the case on account of their obstinate attitude.

"Case no 3519 of 1935-36 (debts of a *Mokasdar*, i.e., an inferior proprietor) — The debtor was an inferior proprietor of four villages (*kamiljama* Rs 550) and had also some *sir* and *khudkashit* land, his yearly net income was estimated at Rs 1,000. He owed six creditors on eight different claims a sum of Rs 20,563-3-0. Decretal claims amounting to Rs 15,728-4-0 were conciliated at Rs 3,250 payable in equated instalments over a period of 11 years. The mortgage claim of Rs 2,000 due to the superior proprietor was conciliated at Rs 1,800 payable in 12 years at Rs 150 a year free of all future interest. The remaining claims amounting to Rs 2,837-15-0 were conciliated at Rs 700 payable in 10 years. Thus the total yearly instalment fixed was Rs 550, and the first year's instalment has been paid. The debtor comes from the jagirs and was protected by the Land Alienation Act, or else he would have been nowhere long ago. The origin of his various debts is not known definitely, but it is believed that the figures multiplied on *sal sawai* interest (25 per cent per annum) on small amounts taken originally mostly for unproductive purposes.

"Case no 3473 of 1935-36 (debts of a Gond Jagirdar) — The debtor was the Jagirdar of Bhardagarh, a jagir consisting of 39 villages and paying Rs 375 *takoli* to Government annually. The total debts of the Jagirdar were Rs 46,889, including five decretal claims amounting to Rs 34,341 and carrying interest at 6 per cent per annum. These liabilities were conciliated by the Board at Rs 23,300 payable in nine years free of all future interest by yearly instalments of about Rs 2,500, the first year's instalment has been already paid. The origin of these debts is buried in oblivion, but it is suspected that they were mostly small sums borrowed for non-agricultural or ceremonial purposes, which mounted up on successive statements of account which were never carefully scrutinized by the jagirdar.

"Such cases are probably of the extreme type, but illustrate the appalling rapacity of some moneylenders, and the improvidence of aboriginal debtors. The average bad or

irrecoverable debts of each Gond debtor come to Rs 400 or Rs 500 a comparatively very high figure as the ordinary Gond cultivator in the Jagirs possesses about 20 acres of occupancy land *barra* in soil classification assessed from Rs 6 to Rs 7 rental. The vicious circle of aboriginal indebtedness begins with the necessity of borrowing to finance a festival or a marriage in the family. The usual *sal sawar* (25 per cent) interest at compound rate with half yearly or yearly rests soon tends to increase the volume of debt despite the debtor handing over all his surplus produce or extra cattle to his creditor each year. The principal can never be liquidated on account of the heavy interest charges and the poor state of cultivation. Periodically the bond is renewed on accounts made up by the creditor and unintelligible to the illiterate and ignorant Gond who can scarcely count beyond 8 or 9. Thus the debt is perpetuated from generation to generation and leaves the aboriginal debtor in a slough of despond. In about half of the cases before the Board the aboriginal debtor was ready to swear (and there is every reason to believe him) that he personally had never taken any cash loan and that the whole debt had come down to him from his ancestors or had originated from an advance of a *khandi* or two of *kodon* at the time of a marriage and had been repaid many times over.

If the origin of aboriginal indebtedness is social necessity its volume is certainly due to the creditor's way of dealing. The creditors of the aboriginals are mostly Kalar and Telis and their Gond clients are often like wax in their hands. They live in market villages on the boundary of the Jagirs, and their profession is half shop keeper half lender and wholly usurer. They advance a loan to an aboriginal as an investment and their one idea is to keep it going perpetually after collecting as much towards interest charges as possible in the shape of produce direct from the threshing floor at harvest. They manage to get the bond renewed periodically through the help of a packed *panchayat* of their hangers on and never lose an opportunity of ramifying their accounts by splitting the unpaid interest charges into separate documents so that in 10 years the Gond debtor finds himself in the meshes of a bond a promissory note and a *khata* grain account, a regular spider's web. Much of this debt in the jagirs will never be repaid but the *sahukar's* *quid pro quo* is that without the trouble of cultivation he gets the fruits of the land.

In the *khalsa* area the petty aboriginal cultivator's need of a loan is used by the *malguzar* to enchain him in bond slavery. The amount is advanced on the stipulation that a man of the family will repay the annual interest charges by working as a whole-time labourer on a remuneration of Rs 30 to Rs 40 a year. The conditions of service are so strict that the debtor or his adult son can never have the whole of his remuneration credited to him at the end of the year. At the beginning of the rains the *barsaliya* as the labourer is called must have an advance of grain from his employer to feed himself as his women folk cannot then get agricultural labour and the family stock of grain is exhausted.

This gives the creditor an opportunity to ramify the accounts, and cases came before this Board in which the original debt of Rs 100 had risen to Rs 300 or Rs 400 in the creditor's current accounts, though for the last several years the debtor or one of his sons had been continually working for him. Once in debt, no wonder the aboriginal always finds himself in debt.

"Debts of this type are seldom taken by a creditor to the civil court, except occasionally to coerce a refractory Gond who evades renewal of the bond. The lesson is soon taught, as an aboriginal cannot prove repayments in the civil court for want of receipts, and as soon as a creditor attaches property or cattle under a warrant in execution of his decree, the Gond judgment-debtor, to avoid further harassment, acquiesces in the execution of a fresh bond to adjust the decretal amount. Special efforts were made by the Board to drag such debts into the light of day, and with great difficulty the creditors were persuaded to extricate the aboriginal applicants from the whirlpool of chronic indebtedness. A few creditors in the Jagirs did not respond to inducements to terminate their investments in this way, and acquiesced in the issue of a penalty certificate by the Board under section 15 (1), Debt Conciliation Act, in the hope that their client's future need of a loan would soon drive him back into their clutches.

"It is obvious that the accumulation of old debts in primitive communities is made possible on the one hand by the reluctance of the debtor to go to the insolvency court, and on the other hand by the creditor's greater power of winning his point by haling the debtor to the civil court. Because of his ignorance and illiteracy an aboriginal from the Jagirs, who knows very little of the outside world, cannot survive the legal doctrine of the sanctity of contract as enforceable in the present day. If the law goes against him in the court, equity ought to come to his rescue and enable him to pay off the decrees by instalments within his paying capacity. Some civil courts in this district have started the practice of awarding easy instalments under section 11 of the Central Provinces Moneylenders Act. But a very liberal interpretation is required for aboriginal debtors paying Rs 6 rental or less, so as to bring the instalments strictly within their paying capacity, even if the satisfaction of the decree is thereby extended over the best part of a century.

"Even so the battle is by no means won. With the continued slump of prices the aboriginal is once more in the grip of necessity, and in the past it was necessity, social or economic, that led to his exploitation at the hands of his village sahuکار."

206 Next let us take extracts relating to a district on the other side of Betul, the Amraoti district of Berar, of which the Morsī and the Melghat taluqs border on Betul District. The first extract is from Mr Mainprice's report on the aboriginal problem in Morsī Taluq. This extract raises prominently the question of bond-service, already mentioned incidentally in the previous chapters, and the subject of the following chapter. The references to it, however, in the extracts in this chapter are not

out of place as they show the intimate connection between bond service and the problem of cheap credit for aboriginals —

Debt—Debt has caused all this loss of land by aboriginals who are practically all illiterate and improvident. They easily fell into the hands of the moneylenders who advanced them small sums for wedding and cultivation purposes, or for marriages and drink and did not press for repayment but allowed the interest to mount up before getting a mortgage or promissory note. Owing to his ignorance illiteracy and pressing need of money the aboriginal was willing to put his thumb mark on any document placed before him without realising its contents. Even to day I found that the prevailing rate of interest at Ganeshpur, Pimpri and Dasur near Ambada was *diris* (50 per cent in 4-6 months) while in all other villages loans were given on *sawa* (or 25 per cent at cotton harvest). At such rates loans if not repaid immediately soon mount up to fantastic figures and the loss of land is certain. Moreover moneylenders often did not enter repayments especially repayments in kind in their account books. Many Gonds now indebted do not know what the original sum borrowed by their father or grand father was and often a minor or a widow is saddled with an ancestral debt of which they knew nothing. One Bhura Gond of Satnur told me that he borrowed Rs. 10 and repaid Rs. 80 and still has to pay Rs. 600 in Debt Conciliation Board kists of Rs. 25 for 24 years. Fakirya Patel of Jamgaon inherited a debt from his father on the latter's death in 1910 for which he gave a promissory note for Rs. 1 500 and although he has repaid about Rs. 15 000 in land and cash and produce his remaining fields are now mortgaged for Rs. 4,500 to the same *sahukar*. By transfer of decrees and by refusing to receive money the *sahukar* forces the debtor to default and then obtains his land through the Civil Courts. I enquired thoroughly into a number of debts owed by aboriginals and in almost all cases I found that small original loans had been many times multiplied and, in spite of repayment of 10 or 20 times the original sum the *sahukar* had finally decided to foreclose and take the land for himself.

Debt Conciliation Board and Debt Relief Court—Aboriginals who went to the Debt Conciliation Board got nothing but harm, and even in the absence of receipts and documentary evidence of repayments they would have got much more advantage in the Debt Relief Court. All the Gonds of Pimpalagad went to the Debt Conciliation Board. One Tuku Gond took Rs. 300 in cash for his wedding 45 years ago from Bhikulal Marwadi and repaid Rs. 3 000 in all, but Bhikulal still had a mortgage on his field for Rs. 4 000 in 1930 and this he then transferred to Bajirao Patel. Tuku went to the Debt Conciliation Board and now has to pay annual instalments of Rs. 30 for 13 years. In order to pay these kists one of his sons will serve Bajirao for 13 years as a *saldar* (farm labourer) without payment but Bajirao has not granted anything in writing to show that the instalments have been paid. The instalments fixed are so high that they can only be discharged by a member of the debtor's family serving the creditor. At Satnur two Gonds complained that

they could hardly pay the instalments, as they were so high. Hitherto no Gond has gone to the Debt Relief Court owing to ignorance and lack of money to pursue the case. Nearly all the Gonds owning land of any value are hopelessly involved, and, owing to the lack of documentary evidence and the fact that the *sahukar* never gives them receipts, resort to the Civil Court may lead to more harm than good. I attempted some conciliation by executive pressure, but without great success, because no *sahukar* could forego money or land which he thought he could easily get through the Civil Courts in course of time.

“*Bond-service and marriage*—Taking service, as a *saldar* in order to obtain ready cash for marriages and to a lesser extent to repay debts is quite frequent among the aborigines of the taluq. An ordinary Gond lessee or small occupant requires about Rs. 60 and two *khandi* of *juar* for his marriage, and even labourers require nearly as much, while the leading Gonds spend up to Rs. 150. To get Rs. 60 cash they generally serve for two years, very often without any written *naukarnama*. The custom of the bridegroom serving his prospective parents for some years is now dying out, and most Gonds serve any local moneylender. An ordinary *saldar* gets Rs. 40 to Rs. 60 yearly wages and if he takes them in grain gets more than in cash. Marriage expenditure has considerably diminished. Child-marriage is practically unknown and many Gonds have to wait till quite a late age to marry, because they cannot get the necessary cash sooner. Sakri Gond of Pimpalgad has 7 sons who are marrying in turn, eldest first, and it takes the 7 brothers about 2 years to raise sufficient cash for one of them to marry. This system of bond-service is not altogether a bad one, as it enables Gonds to obtain cash and repay debts which they could not do otherwise.”

207 The next extract is from the report of Mr J K Atal, I C S, on the aboriginal problem in Melghat Taluq —

“At Kusumkot also a number of aborigines had entered into ‘bond-service’ in order to pay off the debts of their parents. As far as I could gather, there is no prevalent rate of interest on such loans or advances. It depends entirely on the whims and fancies of the cunning moneylender and the intelligence or stupidity of his poor aboriginal victim. Bania *saokars* generally charge anything from 50 per cent to 100 per cent interest, whilst Pathans take anything up to 300 per cent interest. I am afraid that as far as the aboriginal debts are concerned, the maximum rate of interest fixed by the Moneylenders’ Act seldom applies. To begin with, the aboriginal does not know that he has a legal remedy against his creditor for charging more than 12 per cent interest. In the second place even if he realises that he has legal remedies, he seldom avails himself of them for fear that his creditor may never advance him any future loan or by some underhand dealing may deprive him of all his worldly possessions. At Bhokarbardi I looked into a complaint that a registered moneylender at Dharni had been charging 50 per cent interest. When I brought the aboriginal complainant and the *saokar* face to face, the wretched aboriginal was frightened out of his life

year's service with Nahu. Motiram was transferred to Parasat as a *bhagia* to pay off the loan. This man Parasat gives Motiram a maund of grain each month in lieu of food and also annually three seers of salt and pepper, and three pails of pulse, a blanket, a dhoti and a turban. Rupees twenty of the principal is being adjusted per annum in lieu of wages.

If we take Rs. 30 as the fair rate of wages the interest comes to about 30 per cent per annum in this case. This rate was stated to be quite common in this area. Higher rates of interest at 50 per cent termed *derhi* (one and half time) and 100 per cent termed *duna* (double) are also known.

209 Bond service enters also into the following extracts from the report of Mr R. C. V. P. Noronha I.C.S. on the aboriginals of the Kesli area of Rehli Tahsil in the Saugor district —

Broadly speaking I found two classes of aboriginals, those who were in debt and those who had been bankrupted. No Gond can ever be a capitalist even as regards working capital for if he has money he does not work till it is spent and his time preference curve is so steep that practically any rate of interest is acceptable. To illustrate this latter point it is customary for Banias to bring *gur* for barter during the present season. The Gond has no money but the Bania is willing to give him a piece of *gur* worth about 2½ pice for as much grass as he can cut in a day. The value of the grass is four or five annas. The Gond could of course cut it himself, sell it and then they buy the *gur* but he cannot wait so long.

It is therefore inevitable that he should be in debt. I have secured some figures during my tour and more could be got from the Debt Conciliation Board records. But there are a number of reasons why much reliance cannot be placed on them.

- (1) The Gond or Bhoi does not know the extent of his debts.
- (2) Before the Debt Conciliation Board only those debts for which the creditor is not already holding land are produced.
- (3) Even if he knows he is reluctant to tell, being sick of questions, questions, questions.

We as Government Officers have been asking him questions since we took his land and nothing that he can see has come of them.

I took the step of discussing debt in general for several minutes and then casually asking a few people about theirs. The figures I have are not averages but they are generally representative of each village although I have called them averages in the remarks column of the abstract appended. They show that 12 villages out of 22 were heavily burdened. Six villages were bankrupt. Only four financially sound and they will probably go the way of the rest in the not so distant future.

The causes of rural indebtedness have been analysed so often that I do not propose to repeat them. I shall deal only with certain aspects of the matter.

“*Taccavi*—Two facts are clear—

- (a) *Taccavi* has been used in an infinitesimal number of cases for agricultural purposes. Usually it goes either on paying the Bania—if he presses or on rent arrears, or on *khuk*, daily subsistence. From what I have seen I am strongly against the granting of cash *taccavi* to aboriginals. Seed loans should be granted in kind. The ordinary complaint is that the distributing centres are too far away, the obvious answer is to have more distributing centres, and this should not be either expensive or difficult, if the Agricultural Department are willing to tour more and to tour in more discomfort (e.g., the rainy season).
- (b) There is an appreciable difference between the *taccavi* figure at the treasury and the actual amount that gets to the Gond or Bhoi. I realise the gravity of this accusation, and I realise too the difficulty of getting evidence (to my cost). But I am convinced it is true. The aboriginal gets Rs 25 and the entry against his name is Rs 50 and so he has to pay back Rs 50. He merely considers the difference as an increase in the rate of interest and pays, or tries to. Cash *taccavi* should not be granted.

“*The Bania*—No aboriginal (again I generalize) is capable of paying debts with interest. He has never succeeded in understanding the function of interest. He pays and pays and pays, and in spite of it all the Bania gets his cattle and house and land. The extension of the Land Alienation Act to this area would be a help but not very much of a help. As I have pointed out the Bania as often as not gets the land *after* surrender which his exactions have forced on the tenant. He does not get it directly. The aboriginal could be helped by decreeing that no non-aboriginal should be entered as the sub-tenant of an aboriginal without the consent of a Revenue Officer. This would be a check on the fraudulent sub-tenancies noted above, but (a) it would be difficult to prevent *de facto* though not *de jure* sub-tenancies, since the aboriginal would, I am sure, be easily intimidated or cajoled into letting the Bania cultivate without protesting, and (b) fake sub-tenancies could be arranged through unscrupulous aboriginals.

“The aboriginal cannot exist without the loan of working capital, he must borrow this. If the Bania is not to lend it, the State must. But if the State lends it, the State should possess means to see that its loans are properly utilised. The number of aboriginals in this district is not very large. The existing machinery is capable of supplying men for the purpose. For instance, the Agricultural Department staff possibly with some expansion could provide men whose chief duty it would be to guard the aboriginal's interests. They would work under the Sub-divisional Officer, whose job it would be to check their activities periodically. I am aware, again, of the danger of speculation, but with care, and proper control it should not be very grave. I understand something of the kind is being tried in the United Provinces.

or Rs 10 Bande son of Farka of Khandanwadi borrowed Rs 10 from Warlu Kalar of Ahiri four years ago. He said that the first and second year he paid two *khandi* of grain each as interest but last year his crops failed and he could not pay anything. He will be unable to pay anything this year also and is not sure whether the *sahukar* will now demand from him 8 or 10 *khandi* of paddy next year. Vijya son of Irpa of Pokht borrowed Rs 5 from Arkanpalli Ramayya of Indaram six years ago but has paid nothing so far and the Maria elders were of opinion that he is now a ruined man as the *sahukar*'s claims must have swollen considerably. They said that if Vijya was unable to repay the debts in his lifetime his sons would be morally bound to repay it. Bodi son of Wani of Irakdumme borrowed Rs 20 from Laxminarayan *sahukar* of Echli ten years ago for his marriage. So far he has given the *sahukar* $4\frac{1}{2}$ *khandi* of paddy but has not been able to repay the original loan and is not sure what extra quantity of grain the *sahukar* will demand towards interest. Masa son of Anji, of Batan fundi, borrowed Rs 12 from Rajmohad of Ahiri six or seven years ago. He said that he had succeeded in repaying the amount but has still to pay eight *khandi* of grain as interest. According to him as he could not give any grain last year on account of the crop failure he will have to pay much more now as the rate of interest would be doubled.

It will be seen that a real necessity in this tract is to have an agency for advancing small loans particularly seed loans to the Maria. Taccavi has seldom been given in the zamindari tracts on the assumption that the zamindar is supposed to look after the needs of his tenants. So far however I have not come across a single tenant who has been supplied seed on loan by the zamindar. In fact the Kalars of Ahiri Echli and a few other centres seem to be the only creditors of the Maria and their terms are simply shocking. An average Maria is too ignorant to know anything about debt conciliation and the debt relief legislation and in fact in some cases where I tried to explain them these facilities I was surprised to find that they were not very much impressed. In fact the older men went to the extent of saying that if any of them borrowed any money he and his heirs were bound to repay it and the idea of getting debts written off did not seem to appeal to them. Naturally therefore the unscrupulous moneylender has a happy hunting ground among these simple people.

* * * *

Bhamragarh Lahiri tract—The tract north and west of Bhamragarh within a radius of about 10 to 15 miles is inhabited not only by Maria but also by Gond and Teli. The six important villages in which the Teli influence is strong are Mallampodur Lahiri Kukameta Dodrai Arewada, and Midadapalli. Some of the Teli are well to-do and have found the calling of a *sahukar* very profitable.

Although the Teli are financially well off the Maria and the Gond are no better off than their kinsmen in the eastern tracts already visited by me they have fallen into the clutches

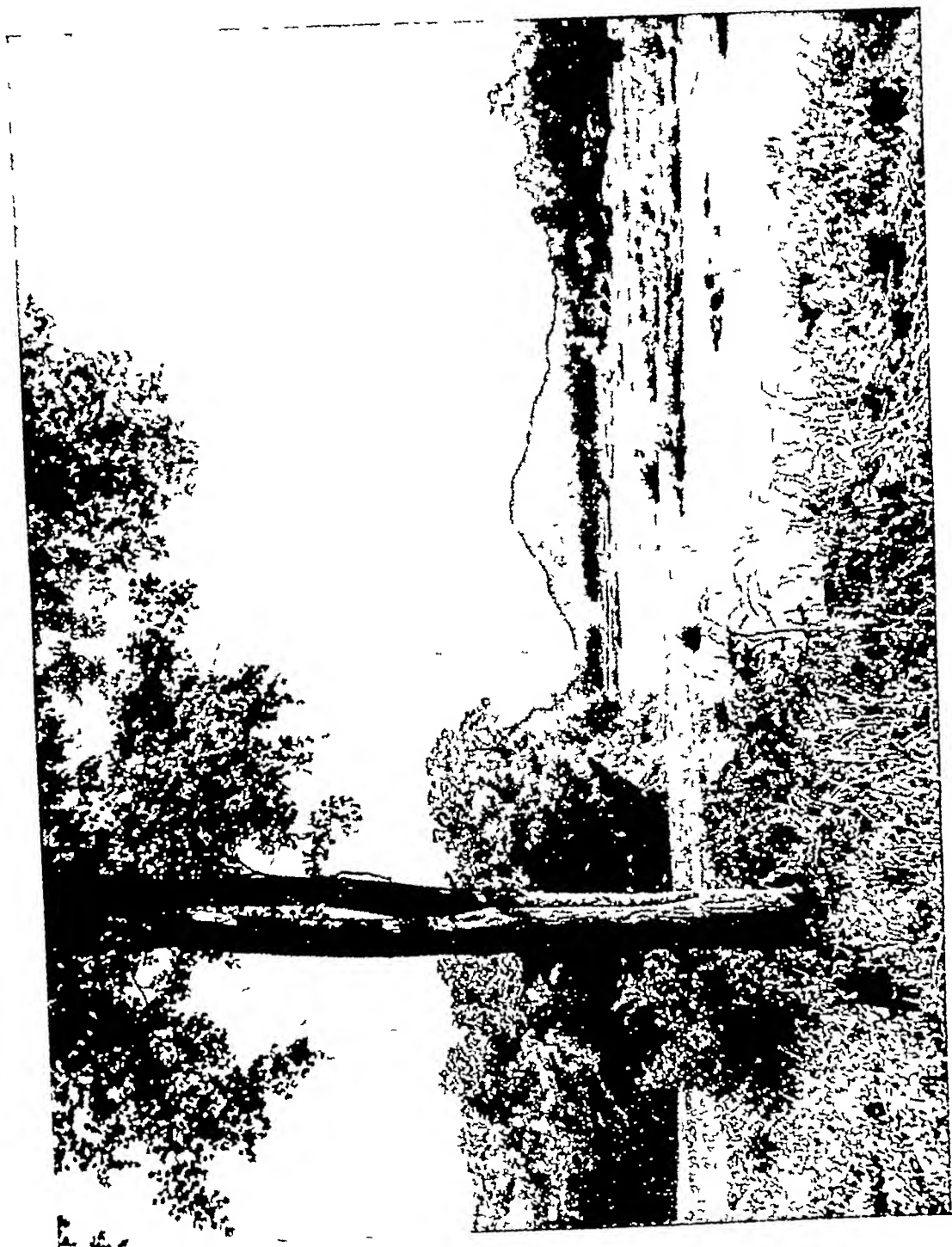
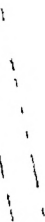


FIG 10 Bhamragarh, confluence of Parlakota and Indrawati rivers



of the moneylenders by borrowing small seed loans. Here also these seed loans proved almost impossible to repay. Kumaram Dasru and Vinka Gatte Gond of Hindawada together borrowed eight *kuro* of paddy to eat many years ago. They have already given the *sahukar* 32 *kuro* of dhan and one bullock, and are told that they have to pay up the interest in time and the debt had therefore increased. Dasru, son of Jangalu Maria, of Hindawada, borrowed Rs. 20 three years ago to pay arrears of rent. The rate of interest charged by his *sahukar*, Nayan Podalwar Kalar of Ahiri, is one rupee and ten *paili* of paddy annually. He has not been able to repay his loan fully and said that he is giving six *kuro* and two *paili* of paddy annually to his *sahukar*. Dodke Mukaddam, son of Lachmma Gond of Hindawada, borrowed one *gudda* (eight *kuro*) of paddy many years ago for food, he has already given his *sahukar* Rs. 2 in cash and one goat and the balance now claimed is 20 *gudda* (160 *kuro*) of paddy. Sathamki Tanu, son of Lalu Gond, borrowed Rs. 7 ten years ago from Sambhyya Kalar of Echli for paying rent, he has already paid Rs. 5-8-0 cash and 15 *gudda* (120 *kuro*) of paddy, and the balance to be paid is Re. 1-8-0 cash and five *gudda* of paddy.

“At Hindawada, I was told that the moneylenders habitually molest the villagers for payment of their debts. This is now a cognizable offence under the Debtors’ Protection Act, and the matter should be brought to the notice of the District Superintendent of Police so that the touring police officers may be asked to look into the matter when they tour in these backward tracts and take action against these unscrupulous moneylenders. An ignorant Maria or Gond cannot be expected to go to the police station-house at Etapalli at a distance of 50 miles or more to complain about his harassment by moneylenders.

* † † †

“Kuvakodi Hill Maria tract — The manner in which the cultivation is managed is briefly as follows —

“Each *penda* is cut by a number of villagers with the approval of the *Gaita*, and the portion cut by each of them is roughly marked. Help is taken from village people who are ready to give help and at harvest the produce is divided amongst the different shareholders, those who helped to clear the *penda* are also given part of the produce. In some cases the produce of a number of *penda* is divided by the elders and the *Gaita* amongst those who cleared the *penda* and helped in clearing it, in watching and fencing the crop. A share sufficient for their maintenance is also given to the old and feeble villagers. The *Gaita* makes the payment to the *kamdar* for the whole of his village and takes a corresponding share for this purpose from the different *penda*. A Hill Maria village, therefore, is a remarkable institution run on co-operative principles, and it is surprising how these people living far off in the hills and cut off from the rest of the civilized world manage themselves in so exemplary a manner.

most valuable assistance was given by Mr Dharamrao Bhujang rao, M L A the Zamindar of Ahiri who himself is a Gond Mr Desai writing in February 1936 said that most of the transactions between creditors and moneylenders and Maria had been found to be grain transactions as the Maria was still so backward that he was more accustomed to barter than to cash and obtained all his wants of cloth salt tobacco, liquor and hired bullocks by payment in grain The conciliation proceedings indicated the need of grain exchange depots at various centres to save the Maria from being deceived by the *sahukar* and grain dealers of Ahiri and Allapalli The Zamindar then agreed to open a depot at Ahiri and at other centres in the zamindari but this recommendation seems to have been lost sight of It is in any case probable that at least to begin with such grain depots should be under government management Mr N S Verma's final report on the working of the voluntary Debt Conciliation Board states that when the Board first started its work it was very difficult to get any applications from the Maria on the contrary at the outset the Board was presented with a sheaf of applications bearing hundreds of debtors' thumb marks requesting it not to interfere between them and their creditors as otherwise it would be difficult for them to get loans in future In the end the Board by persistence secured 778 applications A further difficulty was that the mother tongue of the moneylenders was Telugu while many of the debtors spoke only Maria Gondi and of the members of the Board only the Zamindar knew Gondi The report quotes certain examples of typical debt Here are two typical examples —

(1) In case no 410 *Aincha Narayya of Indaram v Doba Bija Maria of Koreli* the former gave the latter a bullock on hire, 16 years back Two *gidha* of *dhan* or Rs 4 the usual fee for this purpose was charged The debtor went on paying one *khandi* of *dhan* or Rs 5 a year for 12 years Then the accounts were examined in 1932 and the Maria still found to be owing as many as 140 *khandi* (Rs 700) of *dhan* to the creditor With further interest at 50 per cent compound per annum the creditor's claim now stood at the exorbitant amount of 464 *khandi* or Rs 2,320 rather a high price for the hire of a single bullock Lord Inlithgow the new Viceroy paid only Rs 400 each for the two prize bulls he purchased recently for the benefit of the Delhi ryots

(2) In case no 271 the father of Bubyia Maria of Nahen borrowed eight *gidha* of *dhan* or Rs 16 from Ramayya *sahukar* of Indaram just a quarter of a century back Baba's father died last year and is said to have paid to the *sahukar* in all 21 *khandi* and 270 *gidha* of *dhan* and seven bullocks, or property worth Rs 750 Of this the creditor himself admits having received 270 *gidha* and two bullocks, or articles worth Rs 600 Yet in this paradise of moneylenders Bubyia Maria the son of an unfortunate father has still to pay Ramayya *sahukar* of Indaram no less than 130 *gidha* or Rs 260 worth of *dhan*

Such treatment was not confined to Maria debtors but similar cases are quoted in the report of transactions between moneylenders and members of good Telugu cultivating castes like

Kapewar The report comments on the staggering figures of debt which these Telugu moneylenders work out, even though they calculate at 50 per cent compound interest. There was one case in which a Kapewar at Echli a few years previously borrowed Rs 32 to finance a wedding and had repaid Rs 20, but was shown in the Echli *sahukar's* books as now owing Rs 17,519. The report observes that the *sahukars* perfectly realised that the average debtor is not worth more than Rs 20, yet seem to take an almost childish delight in swelling up their accounts to enormous sums which even in their fondest dreams they can never hope to realise. The result was that the reductions made in the moneylenders' claims were drastic, in 472 cases the moneylenders' claims totalled Rs 2,33,300 but were reduced with the consent of the parties to Rs 7,286 or about 3 per cent, and instalments varying in number from two to six were fixed averaging about 1.25 times the debtors' annual actual rent. Unfortunately, however, the proceedings were voluntary and were not followed up by provision of alternative sources of credit, nor was anything done to stop or regulate the activities of the moneylenders. It was hardly surprising therefore that Mr J. D. Kerawala found so much debt during his tour four years later and that there is no mention in his report of the working of the former Debt Conciliation Board.

212 The last two extracts descriptive of debt generally and the economic position of the aboriginal come from paragraphs 19 to 31 and 46 to 50 of Messrs R. C. V. P. Noronha, I.C.S., and K. B. Lall, I.C.S., on the Raipur zamindaris under Court of Wards, the intervening paragraphs have already been quoted in the notes on loss of land in Raipur District in paragraph 94.

GENERAL ECONOMIC CONDITION

"19 The staple food-grain is rice, which yields in the flatter areas 10—15 fold and in the more broken jungle tracts 5—8 fold. The money crops are til, sarson, linseed and the millet called *madia* or *goto*."

"20 The original method of the aboriginal cultivator would appear to have been to sow his *dahi* land with '*haruna*' *dhan*. This was reaped in August. Some of it, sown with *kodo* (*kosua*) was reaped in July. '*Mai*' *dhan* was sown in the ordinary fields, about one month in the hot weather he lived on *mahua*, *shikar*, etc. This was 30 years ago, Mr Noronha has met the same story in Suarmar, Kauria and Nawagarh, and it seems true. It is clear that this scheme does not require *kharai*† loans. No doubt existed, but we think this was partly due to the absence of lenders.

"21 Now *dahi* has ceased as far as the Gonds and Bhunjias are concerned and the yield has diminished (*dahi* yields 25—40 fold). Improved communications have brought the lender. The aboriginal is indebted, and his indebtedness bound to increase with time.

**Madia* or *goto*—*Eleusine corocana*

†*Kharai*—maintenance, feeding

'22 Below is the budget of a typical well off Gond in the Sihawa tract (Dhamtari Tahsil) He has 35 acres of occupancy land —

Income—

Outturn 80 <i>khandi</i>	Rs	a.	p.	
Sub-rent for 4 acres	0	6	8	3½ <i>khandi</i>

Expenditure—

Rent	10	8	0	5½ <i>khandi</i>
<i>Khatwa</i> (including costs and servants)	2	(<i>gara</i> *)		40 <i>khandi</i>
Seed and interest—				17 <i>khandi</i>
Clothes	16	0	0	7½ <i>khandi</i>
Salt vegetables etc.	15	0	0	7½ <i>khandi</i>

Total				77 <i>khandi</i>
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He has to pay the wages of casual labour and grazing dues His present debt is 10 *khandi* at 40 per cent (8 *katha* per *khandi*) But he makes an incidental income from the sale of jungle produce live stock and from the labour of his two sons who are *saonhia* On the whole he manages to make both ends meet and considers himself very well off

23 These and other budgets appended are very rough and ready accounts It is impossible to get exact or even complete figures from aborigines I doubt whether the 2 *gara* of *khatwa* above will cover servants etc even if they live with the master This Gond belongs to village Bela bahra Sihawa tract (Dhamtari Tahsil *khalsa*) Mr Noronha did not take his name because he found people were more likely to speak the truth if their names were not taken otherwise they got scared of consequences

24 No 2 is from village Katanpali (Kauria Estate) He has 6 acres of occupancy land —

Rs a.

Expenses—

Rent	0	6
Own seed 2 <i>khandi</i>	4	0
<i>Khatwa</i> (including cost of casual leave labour) 9 <i>khandi</i>	18	0
Clothes	5	0
Vegetables, oil salt spices etc.	15	0
Commutation	0	8
Tilli seed 5 <i>katha</i>	1	12
<i>Arundi</i> 1 <i>katha</i>	0	3
<i>Madia</i> 1 <i>katha</i>	0	3

Total	46	8
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Income—

Outturn 15 <i>khandi</i>	30	0
Ten days labour	1	4
Tilli 4 <i>khandi</i>	8	0
<i>Madia</i> , 3 <i>khandi</i>	12	0
<i>Arundi</i> 10 <i>katha</i>	3	6

Total	54	10
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No debt

This is typical of a poor aboriginal peasant in a jungle tract

Gara measure of capacity 1 *gara* = 20 *khandi* and 1 *khandi* = 20 *katha*
1 *katha* = 4 *pauli*. A *khandi* of paddy weighs 9½ *seer*

"25 No 3 is a *naik** (*mukhya*) of the Oriya Gond. He lives in Mudagaon, and has about 40 villages under him (Bindra-Nawarath Zimindari)—

30-acre of crops, etc. 150 cent	Rs. 10	8
Oxen feed 150	50	0
At 100, 500, 1000 (40) included for of 4	120	0
Food for 1000 at 100 4 each plus food		
and moderate taxes of cultivation		
Tax for 1000	17	0
Tax to 1000	3	0
Vegetable, salt, oil, etc	25	0
Clothes	30	0
Total	255	8
Income—		
Output, 750	210	0
Fire, etc	60	0
Feet, etc	20	0
Total	290	0

(Replacements
of live stock
are from his
own herd)

His surplus is therefore at least Rs. 124-80 per annum, and Mr. Noronha thinks he makes about Rs. 30 net out of his money crops.

"26 We conclude that with normal expenses the tenant can comfortably make both ends meet. On the other hand, it has become clear that in areas where moneylenders exist, indebtedness is high. It has been suggested that the reason is to be sought in the high level of extraordinary expenses, chiefly marriage. In Saugor District Mr. Noronha found this to be true. But here we do not think that marriage or other ceremonies account for the aboriginal's indebtedness. We have independently investigated numerous cases in each of the Estates, and to us it seems that the *sahukar* plays a minor part except where borrowing from him has already become a habit. A Gond wedding costs about Rs. 80, a Kamar wedding about Rs. 10 to Rs. 15 and a Bhunjia wedding about Rs. 40. The Gond saves 50 to 75 per cent of the cost from current year's money crops by simply cutting down his *kharai* and clothes expenses. The rest is contributed by relations who will be repaid as their similar need arises, and who will charge no interest, whatever the time taken for repayment. If anything is borrowed from the *sahukar* it is an insignificant amount, not more than 25 per cent, and is returned inside a year. The same applies to the Bhunjia. The Kamar raises the cost by subscription from relations and the village. We suggest therefore that aboriginal indebtedness arises in the following manner—

The *sahukar* sets up in a village with a stock of clothes, bangles, trumpery jewellery, sweets (especially gur), etc. He encourages the aboriginals to buy on credit. Thereafter the taking of loans (both cash and grain) is facilitated and the vicious circle of debt repayment—debt is started.

*A *naik* or *mukhya* is a caste headman who presides over groups of villages varying in number from 10 to 40, his position is much akin to that of a *pargana gaita* or *pargana* headman in Bastar State.

27 Our view is supported by the fact that debt is only high in areas where moneylenders have taken steps to increase their business e.g. Pithora Komarkhan Gariaband, Mainpur etc. The average prosperity of these rice tracts is high rents are ridiculously low and there is no *prima facie* cause for indebtedness. Nevertheless it exists. Below is a table of indebted villages in Mainpur R. I. Circle (Bindra Nawagarh Zamindari) which speaks for itself —

Villages	Total debt on aboriginals	Number of aboriginal houses on which it rests and tribe	Total number of aboriginal houses	Land alienation remarks
(1)	(2)	(3)	(4)	(5)
Davni	2 gara	6 Gond	11	NIL
Gopalpur	5 gara	28 Gond	39	NIL
Phulphar	5 gara	20 Gond	28	Dokra Gond, sold 4 acres of occupancy land (Rs. 2 rental) to a Marar out of 27 acres.
Todapadar	5 gara	20 Gond	25	Pancham Gond, lost 1 acre to Jalam Kachl. Natha n, Gond lost 6 acres to a Kalar
Mainpur				
Tirav	10 gara	30 Gond	60 Gond	
Todapala				
Mainpur Kalan	15 gara	60 Gond	60 Gond	
Bardula	3 gara	20 Gond	20 Gond	
Kodebhat	2 gara	10 Gond	12 Gond	
Gaurbhat	4 gara	10 Gond	10 Gond	

These figures are the result of laborious questioning. We do not claim absolute accuracy for them but think that they give at least a fair indication of the level of debt. Cash debts have been converted into grain their total value was very small.

29 This area is one of the most heavily indebted in Bindra Nawagarh Zamindari and the average debt per house works out to 11/201 gara or 4 khandi = 360 seers of paddy.

Land has been alienated for the purpose of debt repayment in three cases only a total of 11 acres.

30 We have reproduced three budgets of aboriginal *Asian* who were free from debt. Below is the budget of an indebted Gond.

Family of six members, as in the other cases. Expenditure—

	Rs.	a
Rent (25 acres of occupancy land)	13	0
Seed 6½ <i>khandi</i> (more than ½ the land is fallow, he has not the cattle or resources to cultivate all of it)	26	0
<i>Khawar</i> (including <i>lamra</i> and costs of cultivation)	80	0
Seed for money crops	3	0
Clothes, etc	100	0
Salt, etc	15	0
Total	234	0

Income—	Rs.	a
Outtura 60 <i>khandi</i>	120	0
Money crops	50	0
Labour*	9	8
Lie	17	0
Total	196	8

	Rs.	a
Deficit	37	8 per annum
Present debt—16 <i>gara</i>	640	0

The man's debt started about eight years ago, coinciding with the pushing of his moneylending business in this area by a Mainpur moneylender. Two items, Rs. 100 for clothes, and 2 *gara* for costs of cultivation, are significant. He obviously spends far more on 'luxuries' (clothes and servants) than he would have done if loans were not available.

"31 On final budget to clinch the argument, this time of a non-aboriginal. He is a Mali and seems very capable. Thirty-three acres of occupancy land, in and around Deobhog—

Expenditure—	Rs.	a
Rent	29	8
<i>Khawar</i> (including all costs) 8 <i>gara</i>	320	0
Seed 21 <i>khandi</i>	42	0
Clothes, salt, miscellaneous expenditure	100	0
Buffaloes	90	0
Grazing	5	0
Total	586	8

* 72 labour days at Re 0-2-0

Income—	Rs a.
Outturn 17 <i>gara</i>	680 0
Peas (net)	50 0
Tobacco (net)	22 0
Sugarcane (net)	15 0
Total	775 0

Bulls he gets from his own herd. His father left him with a debt of Rs 800 to Thakur Hanuman Singh of Girsaur. This debt has now been reduced to Rs 180. Further, one of his sons has been married (last year) at a cost of Rs 250. Rs 200 was saved from current income and Rs 50 borrowed. This Rs 50 has since been returned. Obviously with reasonable care and industry the low level of rents in the Estates makes agriculture profitable.

46 *Moneylenders and moneylending*—The rural financier is not in zamindari areas a part of the village community. In most cases he is an outsider who set up his business only fifteen or twenty years ago. Marwaris predominate in Suarwar and Pithora. Kachis and Brahmins control the market in Bindra Nawagarh and Punjabis (Sikhs and Muslims) are to be found in fair numbers in Phingeshwar and Phuljhar. Their business methods hardly differ. Most of them combine trading with moneylending. A customer easily becomes a debtor and an advance is gradually and imperceptibly converted into a loan. The customer-debtor unable to pay in cash agrees to sell his produce paddy or lac or *tendu* leaves to his creditor at cheap rates. The money lender does not scruple to fake his accounts. We base our opinion on the notes we have made of several cases (over 100) where it does not seem possible for the debt to have reached its present proportions honestly. Interest is always compound varying from 25 to 100 per cent.

47 In short the moneylender gains all along by the interest the faked accounts the cheap price.

48 He no doubt, runs a tremendous risk for it is almost impossible for him to recover his debts through the Civil Court but his methods of recovery reduce the risk considerably. He seldom takes the land. Nor does he resort to fraudulent sub tenancies as in Saugor. He does not force the debtor to work for him. Most usually he grabs his crops at the time of harvest and practically makes him his *saonyia*. He makes him collect lac and *tendu* and sell them to him. Generally the debtor is not contumacious. If he is the matter is referred to a Panchayat in which most of the members may be indebted to the creditor applicant or to a Village Panchayat of which two or three members may themselves be moneylenders (e.g., the Village Panchayat at Garia band Bindra Nawagarh Zamindari).

"49 We have already pointed out that the remedy lies in the provision of cheap credit. It is hardly possible for the Court of Wards to provide it. Figures for cash taccavi and seed advances made by the Court of Wards in 1939-40 are given below.—

Estate	Current seed loan (maunds)	Arrears (maunds)	Cash taccavi	
			Current	Arrears
Bindra-Nawagarh	1,529	.	.	..
Suarmar	.	.	..	..
Narra	789	..	.	
Deori	1,733	27	470	..
Phuljhar	..	.	..	..
Kauria	180	28	1,835	117

Sowing seed averages 40 to 55 seers per acre. It is clear that help on this scale is not going to relieve the *kisan* to any appreciable extent. And the Court of Wards has not the resources to increase the help. Moreover, collection is in some places so bad and recovery of old debts so difficult (it is almost impossible to execute a decree) that the Court of Wards is extremely shy of lending grain or money to the petty *kisan* who needs them most. Mr Lall, however, is of the view that it would be possible for the Court of Wards to advance considerable quantities of grain (possibly of improved variety) and large sums of money for *bona fide* agricultural purposes at low rates of interest (about 8 to 12 per cent), provided the Government make it easier for the Court of Wards to recover loans from persistent defaulters, e.g., by making them recoverable as rental arrears.

"50 The cultivators themselves cry out for —(1) reasonable interest up to 25 per cent, (2) simple interest, (3) an annual statement of accounts by the creditor before a Revenue Officer."

213 This concludes the series of extracts showing typical conditions in selected aboriginal areas of the province. These suffice, I think, to show that protective measures are necessary and that it is not safe any longer to leave the aboriginal at the mercy of the exploiter. Not only is he thus exploited directly by the moneylenders and credit dealers, but also he is victimized by the system of advances of cash made to him by contractors of *harra* and other minor forest produce, in a manner to be described later. It is well known that in this province there has been a spate of debt legislation in recent years, starting with the Debt Conciliation Act, 1933 (which was subsequently amended by one Act in 1934 and two each in 1935, 1936 and 1937). In 1934 came the Central Provinces Usurious Loans (Amendment) Act and the Central Provinces Moneylenders Act, 1934, the latter Act

was amended in 1936 (to extend its operations to mortgages in pending appeals and to require registration of moneylenders on payment of annual fees) in 1937 and again in 1940 (the last Act a temporary Act made by the Governor in exercise of the powers vested in him by virtue of the proclamation issued by him on the 10th November 1939 under section 93 of the Government of India Act requiring separate registration of a moneylender for each district in which he practises and enacting that no suit for recovery of a loan advanced by a moneylender may proceed until the court is satisfied that he holds a valid registration certificate). In 1937 there was passed the Central Provinces Protection of Debtors Act to provide for the protection of debtors from molestation and intimidation by their creditors. Finally there was the important Central Provinces and Berar Relief of Indebtedness Act passed in 1939 and since thrice amended which replaced Debt Conciliation Boards by Debt Relief Courts presided over by Civil Judges; the Act was meant to be an improvement on the Debt Conciliation Act to remain in force for three years from July 18th 1939 and to help any indebted agriculturist to pay his debts provided that they do not exceed Rs. 25,000. It was therefore necessary to enquire how far this past legislation had benefited the aboriginal. Shortly before my enquiries began there appeared the *Report on the Aboriginal and Hill Tribes of the Partially Excluded Areas in the Province of Bombay* (by Mr. D. Symington I.C.S.) which contained valuable recommendations as to the measures needed for the relief of debt amongst the aboriginals of Bombay. In the light therefore of these considerations the following questions were framed as part of my first questionnaire —

Debt—(1) Have Debt Conciliation Boards worked in each tahsil of the district?

(2) Are figures available for each tahsil and for the Partially Excluded Areas of the district of applications under the Debt Conciliation Act in which aboriginals were debtors to show the number and the amount involved—

(a) filed

(b) dismissed under section 7

(c) in which agreements were executed under section 12

(d) dismissed under section 14?

(3) Please obtain from the former Chairman of each Board that worked in your district a note on the debt position of aboriginals as disclosed by the proceedings with special reference to exploitation transfers of land, usurious interest and the extent of their indebtedness and to which they made use of the Boards.

(4) How many transfers of malguzari or malik makhuza land of aboriginal debtors were permitted by the Deputy Commissioner at the instance of Debt Conciliation Boards or Debt Relief Court under the Central Provinces Land Alienation Act?

(5) Were there any aboriginal members of the Boards?

(6) Was the lower limit prescribed in the district low enough to give relief to aboriginal debtors?

(7) Judging from applications from creditors against aboriginal debtors for recovery of instalments fixed under the Debt Conciliation Act, do you consider that the *qists* were suitable, and that most aboriginals are paying them in time?

(8) (a) Please state the number of prosecutions and convictions in your district under section 4 of the Central Provinces Protection of Debtors Act between March 8th, 1937, and March 7th, 1940 (for the Central Provinces and between March 30th, 1937, and March 29th, 1940, for Berar)

(b) Are there still complaints of molestation and intimidation of aboriginal debtors by Pathan, Punjabi, Pardeshi and similar moneylenders?

(9) (a) Are you satisfied that all such moneylenders and other moneylenders still practising have been duly registered under section 11-B of the Central Provinces Moneylenders Act?

(b) Is any protection afforded by the Act to ignorant aboriginal debtors?

(10) Do you consider aboriginal debtors adequately protected from exploitation and molestation by the Acts mentioned in sub-questions (8) and (9), or would you recommend further measures?

NOTE —The Bombay Report recommended a special measure on the following lines —

(a) A special licence to be prescribed for moneylending transactions, direct and indirect (which would include the common practice of selling cloth on credit at usurious terms, now substituted in this Province by many former moneylenders of the Pathan and Pardeshi type for formal moneylending), with aboriginals and backward classes in tribal areas

(b) Even aboriginal moneylenders should have to take out these licences since otherwise they would be employed as the tools of *sahukars*

(c) It should be an offence, punishable with imprisonment as well as fine to lend money or goods on interest to aboriginals or Harijans in tribal areas without a special licence, and, to prevent evasion, the offence should be so defined as to include the taking by the lender from the borrower of a receipt or promissory note for an amount greater than that actually lent

(d) Transactions entered into in breach of the measure should be non-enforceable at law

(e) These special licences, which should be additional to registration fees under the Moneylenders Act, should be granted by the Deputy Commissioner after satisfying himself as to the character and financial stability of the grantee

(f) Rules under the measure should, *inter alia*, prescribe who may be employed as servants by the licensees, "touts and bullies, such as Pathans, should thus be eliminated, and *naukarnamas* issued as in the (Bombay) Excise Department" (Cf Central Provinces General Licence Condition VII, Excise Manual, Volume I, page 78).

(11) Please obtain from Debt Relief Courts in your district a statement of the number of applications received from aboriginal and non aboriginal debtors the amount of debt involved and the number of cases decided with the debts claimed and as reduced under the Act. Please ask the Presiding Officers also for a note on the extent to which the Act is helping aboriginals.

(12) What steps have been taken to give publicity to the Act in aboriginal villages?

(13) Do you consider that Debt Relief Courts would be of more use if the following recommendations of the Bombay Report on the Aboriginal and Hill Tribes were adopted —

- (a) Instead of an aboriginal debtor having to apply to a Debt Relief Court for determination of his debt which owing to his ignorance and often misguided sense of honesty he will generally not do the onus should be on the creditor to prefer all claims against aboriginals with the Debt Relief Court within a specified period and no claim not so lodged should subsequently be enforced at law.
- (b) The Debt Relief Courts should tour in each taluq.
- (c) One or more Government pleaders should be appointed at the public cost for each Debt Relief Court to represent the aboriginal debtors.
- (d) The Court should be empowered and instructed to use its discretion as to the admissibility of oral evidence and in particular should not regard a document executed by an illiterate or ignorant aboriginal as *per se* more reliable than oral evidence of the same transaction.

(14) Will Civil Courts please give statistics of the number of suits against aboriginals in 1939 for debt and of the number in which the creditor lost his suit?

(15) Do many cases come before the regular Civil Courts of suits to enforce contracts to repay advances taken by aboriginals and Harijans for marriages payment of fines, etc., by pledging labour for a term of years and have Debt Relief Courts had to deal with any debts claimed against debtors under such contracts or *naukaripatra*? Have the Courts dismissed any such suits on the ground that the contract was unconscionable or contrary to public policy? Details may kindly be given as to the fairness of such contracts in general and the chance of the labourer out of the wages due to him under the agreement paying off the advance in a reasonable period.

N.B.—A separate questionnaire or reference will be issued or made to all districts subsequently on the question of agricultural bond service.

214 The answers were amongst the least satisfactory of the answers received to my series of questionnaires in the sense that very little non official interest was taken and that hardly one of the few advocates and pleaders in the various districts who

sent replies to the whole questionnaire, gave any complete answer to the non-statistical questions in the preceding paragraph, only two or three lawyers answering any items in more than a perfunctory manner. This, I fear, is only an illustration of the typical ignorance of aboriginal conditions prevalent amongst the educated middle classes of India. The official replies also were in many cases so brief as to be of little use, and there were few officers who drew upon their own experience to give reasoned answers or alternative suggestions. Even the statistical replies were hopelessly inadequate and often carelessly prepared without a previous careful reading of the information that was asked for. It is not therefore possible to give complete statistics in answer to question 14, while the Deputy Commissioners succeeded in getting from only a few former Chairmen of Debt Conciliation Boards notes on aboriginal debt in answer to question (3).

215 The position appears to be that Debt Conciliation Boards worked in each tahsil of the province except the Mahasamund tahsil of Raipur and the Dindori and Niwas tahsils of Mandla, Sironcha seems to have had only the voluntary debt conciliation proceedings already referred to. Except, however, in Seoni Sub-division, old Chhindwara District, and Betul District, little use seems to have been made of the conciliation machinery by aboriginal debtors. Of the debt proceedings in Balaghat District I have already given an account in paragraph 126 of *The Aboriginal Problem in the Balaghat District* —

“A Conciliation Board worked for the whole district from February 1934 to March 1937. It dealt with 4,836 applications involving Rs 60.82 lakhs of debt, 3,530 resulted in agreements whereby Rs 38.59 debt was conciliated for Rs 22.65 lakhs. But very little was done in Baihar Tahsil, where only 166 applications in all were received. The lowest limit fixed for conciliation was a debt of Rs 150, this limit was too high for a primitive population. Of the 166 Baihar applications 134 were for debts of Rs 1,000 or less (Rs 150—200, 28, Rs 200—400, 55, Rs 400—600, 22, Rs 600—800, 21, Rs 800—1,000, 8). It is not possible to say how many of the applications from Balaghat and Waraseoni Tahsils were from aboriginal debtors. It is, however, fairly clear that in Baihar the aboriginal received practically no help from the Debt Conciliation Act.”

216 Baihar Tahsil is of course a Partially Excluded Area. The whole of Mandla District is also Partially Excluded. In that district some use of the Board was made in Mandla Tahsil, where 692 aboriginals approached the Board for conciliation of debts amounting to Rs 10,22,418, but of these the cases of 311 with claims totalling Rs 5,05,250 were dismissed under the proviso to section 7 of the Act (which empowered the Board at any time to dismiss an application if for reasons stated in writing it was not considered desirable to attempt to effect a settlement between the debtor and his client), and the applications of 75 involving claims of Rs 1,40,741 were dismissed under section 14 because no amicable settlements could be arranged between the parties. Only 334 aboriginal debtors had their debts, which totalled according to the creditors Rs 3,76,428, conciliated, the amount of reduction is not stated. From Niwas

Tahsil which never had full attention from a Debt Conciliation Board only 10 aboriginals appeared before the Mandla Board and the claims against them totalled Rs 3 01 251 seven of these applications were dismissed under section 7 the claims totalling Rs 2 13 753 only three claims amounting to Rs 87 493 were conciliated for Rs 38 500 of which Rs 36 000 was covered by transfer of malguzari shares for which permission was given under the Land Alienation Act. The final report on the working of the Board commented on the very little use made of it by aboriginals and suggested that the general ignorance of the Gond agriculturist led him to ignore the Board though a possible reason was the fact that the minimum total debt fixed by the Government for Mandla District when the Board started as qualifying a man to be a debtor within the meaning of section 2 (f) of the Act was Rs 150 which later was reduced to Rs 80. Practically no applications came from the Baiga tribe or from the Ghughri and Raigarh tracts. Judging from the size of the average debt shown by the Mandla figures most of the applicants must have been Raj Gond malguzars or substantial tenants and the Act could have given no relief in the district to aboriginals as a whole.

217 An analysis of the results obtained in Chhindwara and Amarwara Tahsils has already been given in the extract from the final report of the Board in paragraph 205 of this Chapter. There was another Board for Seoni Sub-division. Here 531 aboriginals applied for conciliation of Rs 3 64 799. Fifty one of these claims totalling Rs 38 329 were dismissed under section 7 and 15 totalling Rs 30 453 under section 14 of the Act. The remaining 465 claims totalling Rs 2 96 017 were conciliated for Rs 1 25 080. The Deputy Commissioner however notes that the aboriginal debts in Seoni Sub-division were conciliated by the Board with instalments beyond the paying capacity of the average debtor with the result that practically none are now repaying in time. Probably a greater number of instalments should have been fixed.

218 In Betul District Bhainsdehi Tahsil is Partially Excluded. In that tahsil only 158 aboriginals approached the Board for conciliation of creditors' claims totalling Rs 1 64 601. Nine teen involving Rs 91 128 were dismissed under section 7 and 8 involving Rs 3 495 under section 14 agreements were effected in 131 cases covering creditors' claims of Rs 69 478. The amount of reduction is not stated. In the non excluded tahsils of the district (Betul and Multai) 953 aboriginals came to the Board and the claims against them totalled Rs 4 41 101 but agreements were effected in only 618 cases covering creditors' claims of Rs 3 57 461 the extent of reduction has not been stated.

219 No figures of the working of the Boards in the three tahsils of Nimar have been given except for Harsud Tahsil where it is said that 494 aboriginals came to the Board for all of whom only 13 agreements were executed no figures of the money involved have been supplied. In Hoshangabad District it is stated that figures were not available for the old Hoshangabad district but that in Narsinghpur Sub-division only 89 aboriginals moved the

Board for conciliation of Rs 1,00,099 debt. Only eight cases were dismissed, but no figure has been given of the settlements in the remaining 81 cases. The Chairman commented on the very few applications that came from the aboriginals but noticed from these that aboriginal debtors were a more ready prey than others to avaricious moneylenders owing to their greater honesty, simplicity and ignorance, he also noticed many cases of loans to aboriginals on the security of their own labour or that of their sons.

220 In Wardha District 9 aboriginals approached the Board for claims totalling Rs 26,105. One claim (Rs 253) was dismissed under section 14 and in the other 8 cases debts totalling Rs 25,852 were conciliated for Rs 4,200.

221 No figures are given for other districts except that the Board working in Nagpur Tahsil had only nine or ten applications from aboriginal debtors, while in Drug District it is noted that only a handful of aboriginals came before any of the Boards, this is the general burden of the written replies of all districts. The Baihar, Bhainsdehi, Mandla and Seoni figures show that even in the areas where some use of the Boards was made by aboriginals, they were only a small fraction of the total number of debtors relieved under the Debt Conciliation Act. The statutory lower limit of Rs 150 total debt entitling a client to present applications was much too high for aboriginals. Almost all the reports indicate this. Mr Hyde observes that although the last settlement report described the debt in the backward areas of Mandla as insignificant and suggested that two out of every three tenants or ryots owed nothing and that only one in twenty owed more than Rs 100, yet, even if this was true at settlement, the position has since much deteriorated, judging from the difficulty of collecting land revenue and the heavy arrears of taccavi. Mr J. P. Malaviya, Extra-Assistant Commissioner, estimates that only 10 per cent of the Mandla aboriginals could have received any relief even when limit was reduced to Rs 80, as 80 per cent of the debtors owed Rs 50 or less and 10 per cent between Rs 50 and Rs 80, he considers a new Board necessary to give relief to all whose debts are less than Rs 80. The Tahsildar of Mandla notes that only one in every 20 debtors relieved by the Act in his tahsil was an aboriginal. In Nagpur District Mr R. D. Beohar as Chairman represented that Rs 150 was too high a minimum limit for aboriginals, and the Government lowered the limit to Rs 50, but this was when the work of the Board was in its final stages and too late for many aboriginals to take advantage of it. It was similarly reduced to Rs 50 in Bhandara. In Raipur the Tahsildar of Baloda Bazar notes that the Rs 150 limit was altogether too high and suggests that for real relief there should have been no limit at all. The Rs 150 limit in Drug District is given as the main reason for the very few applications received there. This applies also to Murwara Tahsil in Jubbulpore District.

222 The total debt of the few aboriginal applicants was effectively reduced, but most of the replies indicate that the number of instalments fixed was not enough. Conditions in Seoni Sub-division have been mentioned above. In Murwara Tahsil,

Saugor District Narsinghpur Sub-division Nimar Bhandara and most of Nagpur District it is said that the instalments were suitable and are generally paid in time. In the old Hoshangabad district they are not being paid regularly nor in the Umrer tahsil of Nagpur and the Dhamtari tahsil of Raipur in Mandla it is said that only 2 out of every 6 aboriginals are managing to pay and in Betul that instalments are not being paid since payment must be made from the proceeds of the crops which have not been good in a single year since the Boards ceased work.

223 Ineffective publicity was given to the establishment of the Boards in the backward areas. This is admitted almost everywhere. It might have helped to have appointed influential aboriginals as members of the Boards, there was one Gond member each of the Murwara Board, the Ramtek Board (but he died soon after his appointment) the Bhainsdehi Board and the Chhindwara Board but no others. The replies to question (12) indicate that in most districts there has been equally ineffective publicity given to the establishment of Debt Relief Courts under the new Relief of Indebtedness Act. Thus the Deputy Commissioners of Hoshangabad Nimar Wardha Nagpur Chhindwara Balaghat Raipur, Bilaspur and Drug say that no special steps were taken to make the relief courts known. In Murwar tahsil the Presiding Officer of the Debt Relief Court himself had publicity given through the civil court process servers in every server's circle in the tahsil but at the time when he replied to my question this had produced only two applications from aboriginal debtors. Mr I. D. Pathak the Mandla pleader makes the sensible suggestion that school masters should be used as publicity agents and the Deputy Commissioner of Mandla considers that the ordinary publicity given through revenue inspectors and patwaris is quite inadequate and that what is needed is proclamation by beat of drum in every village. During my own tours I have often found that the old publicity pamphlets issued by the Central Provinces Government in and around 1920 are still kept by the village *muqaddam* in the tin tube containing the village note book. These were supposed to be read out by patwaris to the villagers from time to time. In some areas this undoubtedly was done. It might therefore be worth issuing to every village a pamphlet in Hindi Marathi Gondi or Korku (in the latter two cases printed in Nagri character) to be read out and explained by the patwari to the village elders. This business of publicity in backward areas is much neglected. My remarks on the subject in paragraph 24 of *Notes on the Aboriginal Problem in the Mandla District* are true of almost every district in the province. No remedial measures such as the various debt laws and the laws and rules laying down the rights of tenants in respect of grazing village forests fishing and hunting etc. are of the slightest use unless the aboriginal can be taught their existence and meaning.

224 To question (11) which asked for the number of applications received by Debt Relief Courts from aboriginal and non-aboriginal debtors the amount of debt involved the number of cases decided and the debts as claimed and as reduced under the Act varied and incomplete replies came. At the time when these replies were sent the Debt Relief Courts had in most areas

1937, and in Berar on March 30th, 1937. The Act seeks to protect debtors from moneylenders and their hirelings who rely upon the threat of violence rather than the process of law*. It makes the molestation of a debtor for the recovery of debt owed by him to his creditor a cognizable offence punishable with three months simple imprisonment or Rs 500 fine or both and defines molestation as—

- (a) obstructing or using violence to or intimidating a person or
- (b) persistently following him from place to place or interfering with any property owned or used by him or depriving him or hindering him in the use of such property or
- (c) loitering or doing any similar act at or near a house or place where he resides works carries on business or happens to be

all with intent to cause him to abstain from doing or to do any act which he has a right to do or to abstain from doing. Judging from the dunning methods employed by so called Pathan, Rohilla and Pardeshi moneylenders and their touts in tribal areas the Act seeks to remedy a real evil. The use made of it in districts the first 3 years after it became law varied as the table below shows —

District	Number of persons		
	Prosecuted	Convicted	Acquitted
Jubbulpore	16	7	9
Mandla	3	2	
Saugor			
Hoshangabad	1	1	
Nimar	12	5	7
Wardha			
Nagpur			
Chhindwara	41	17	22
Betul	10	3	7
Bulaghat	6	3	3
Bhandara	8	8	
Bilaspur			
Raipur			
Drug	14	8	6

In Mandla District in the last nine months of 1940 seven more offenders were prosecuted and convicted. The proportion of acquittals is high and that is due in part to the intention contained in the definition of molestation section 3 should substitute for intent to cause to abstain etc intent to compel to pay a debt. The Act has however done something to reduce the bullying of debtors in districts where it has been enforced. In Mandla Mr I. D. Pathak suggests that it exists only on paper and that molestation goes merrily on not only in rural areas but in towns. Mr Hyde while thinking that it has done much good in some cases observes that in others it infuriated the moneylenders, who at once sought revenge by filing recovery suits in the civil courts. Thus at Karanjia in Dindori Tahsil a Gond widow complained against her creditor who was convicted

and fined, in revenge he filed a suit against her at Mandla on a bond alleged by him to have been executed by her husband and by her to have been forged, won this case, and then filed yet another case doubtless in the end the prosecution will seem to her to have landed her in more trouble than the original molestation. This points to the need of a provision that no suit for recovery of a debt by a creditor convicted of molestation with intent to recover that debt shall lie in any court, or that a Criminal Court convicting any moneylender, or any person employed by him as a dun, of molestation under the Act may direct the cancellation of his registration certificate under section 11-B of the Central Provinces Moneylenders Act, 1934 [as amended by Central Provinces and Berar (section 93) Act, XIV of 1940], the effect of this would be under section 11-F to make his continued moneylending illegal, and under section 11-H of the Act, to deny him the forum of the civil courts for recovery of loans. Several replies point out the necessity of constantly keeping police sub-inspectors and their staff vigilant to prosecute under the Act. Some districts show that in some prosecutions the accused has compounded the offence with the complainant. Considering the innumerable ways in which moneylenders exercise undue influence on aboriginal debtors it is clearly undesirable that compounding of offences should be allowed without the permission of the court, which should satisfy itself that the composition agreement is suitable and not merely a means whereby the creditor may evade the Act. Even when a case is compounded it should also be permissible for the court to direct the cancellation of the registration certificate.

227 Question (9)* asked about the effectiveness of the Central Provinces Moneylenders Act. The replies indicate that in several districts there is still much evasion of the requirement of taking out a registration certificate under section 11-B, a recent examination of civil suit registers in Balaghat District showed that about 1,000 moneylenders had not registered, and only the Betul, Bilaspur and Raipur Deputy Commissioners are confident that in their districts there is now no evasion. As to the effectiveness of the Act as a protection for debtors, aboriginal or other, opinions vary. The extreme view advanced is that the sole use of the Act is the money which it brings into the provincial coffers from registration fees under section 11-C. Another lawyer suggested that this and the Protection of Debtors Act were easily evaded by moneylenders giving a "retaining-fee" as a bribe to police officers¹. The general consensus of opinion in the replies to part (b) of question (9) and to question (10)* is that the two Acts do not adequately protect aboriginal or low caste debtors. Official opinion is almost unanimously in favour of the Bombay recommendations summarised in the note below question 10*. For greater clarity, I reproduce as Appendix D to this Report paragraphs 24 to 28 of Mr Symington's Report, with which I substantially agree, subject to the reservation that until alternative forms of credit be devised for the aboriginal, combined with arrangements for cheaper supplies of cloth, salt and spices, the moneylender will remain a necessary evil. Any special measure on the lines of Mr Symington's

*See paragraph 213

recommendation should not be confined to the Partially Excluded Areas despite the ease of the legislative process under section 92 Government of India Act for some of our very backward areas are not Partially Excluded, e.g. the Raipur zamindaris Dondi Lohara Zamindari Pandaria Zamindari Betul Tahsil and the *khalsa* of Chhindwara District. An experimental measure for the whole province could now be simply enacted under section 93 procedure and in the light of its working the legislature could on the restoration of the normal working of the Constitution frame a comprehensive and revised Money lenders Act for the whole province. Meanwhile as section 93 Acts have only temporary force under sub section (4) of that section, instead of applying the proposed section 93 Act to the Partially Excluded Areas by the usual notification under section 92 (1) it might be constitutionally sound to enact it as a substantive Regulation for those areas under section 92 (2) of the Government of India Act.

228 It is certainly essential that a special licence should be prescribed for dealing with aboriginals or members of scheduled and other backward classes in addition to the registration certificate already prescribed by section 11 B of the Moneylenders Act. This special licence should be required for all money lenders in the Partially Excluded Areas and outside them for all moneylenders dealing with notified tribes and castes in notified areas. Moneylending must be clearly defined to include also pawnbroking (as in the Madras Debtors Protection Act). Probably the definition in section 2 (vii) of the present Money lenders Act of a loan as an advance whether of money or in kind at interest and as including any transaction which the court finds to be in substance a loan covers the sale of cloth and other articles on credit and so meets suggestions (a) and (c) in the note below question (10) so far as goods are concerned but legal opinion should be consulted as to the soundness of this view and if necessary the definitions of moneylender and loan in section 2 should be made more explicit on this point. One advantage of a fuller definition is that it would remove doubt in the minds of registration authorities whether cloth pedlars etc. are moneylenders and need both the present general registration certificates and the suggested special licence.

229 Clause (g) in section 2 (vii) of the present Act excepts from the definition of loan a loan advanced to an agricultural labourer by his employer. This is too general in its terms. Mr Symington recommended that his suggested Moneylending Regulation should prohibit the degrading system of pledging certain number of years service in return for a cash loan. I think that we should regulate rather than prohibit the practice but it will be convenient to insist on the registration of money lenders of those who habitually engage their labour in this way and with the present clause (g) there is an obvious gap through which moneylenders in aboriginal areas could evade registration. The point will be again mentioned in the chapter on bonded service. In this connection I consider also that in the aboriginal areas it is unsafe to retain section 13 of the Act which exempts from its provisions a proprietor who advances grain or money exclusively to any of his tenants for seed land improvement or

agricultural operations” There are innumerable villages in such areas where malguzars confine their moneylending to their tenants, and the loans are almost all for these purposes (unless for wedding expenses) By such loans he gets his tenants into his grip and gradually secures their land or “bond-service”

230 Sections 11-B to 11-H (particularly 11-H) which were added to the Act by the (section 93) Amendment Act, XIV of 1940, provide machinery for Mr Symington's suggestion that transactions contravening the Act should be non-enforceable at law, especially if the Protection of Debtors Act be amended as suggested in paragraph 226 above to empower a court to cancel a registration certificate under section 11-B of the Moneylenders Act, and if express power be given to the Deputy Commissioner to cancel the proposed special licence to deal with aboriginal tribes and backward castes held by any person who abuses the licence in any way

231 Suggestion (c)* in the note below question (10) is important We have seen how common in this province, as in Bombay, is the practice of showing in the document covering the loan an amount greater than that actually lent, whether the document take the form of a bond, a receipt, a promissory note or any other form The aboriginal or the *quasi*-aboriginal backward caste man living in tribal areas (e g, Gowari, Panka, Pabia, Basor and the like) is so illiterate, so ignorant and so gullible that the law must endeavour to make it clear that it is a penal offence to enter in the document covering a loan to him anything other than the actual facts of the transaction Moreover the permissible punishment for this and for moneylending, pawn-broking and credit-sales on interest in the Partially Excluded Areas and in aboriginal areas notified for this purpose in other parts of the Province must include imprisonment, unlike section 11-F, the penal clause of the present Moneylenders Act, which provides as penalty for moneylending without a valid registration certificate only a fine which may extend to Rs 100 for a first offence I consider also that at least in the Partially Excluded Areas there should be a power to extern any moneylender or person employed by him, to fix his place of residence within the area concerned and to circumscribe his movements, even if he happens to be a malguzar or owner of other property

232 Here we must consider the operations in tribal areas of forest and other contractors, especially of minor forest produce Mr J P Malaviya, Extra-Assistant Commissioner, has pointed out that actually more harm is done to the aboriginal by advance contracts on unconscionably hard terms than by pure moneylending He instanced a recent case in which a *harra* (myrabolan) contractor advanced money to all the aboriginals of the area covered by his contract on condition that if they did not supply the stipulated quantity of *harra* within three months, he would be entitled to demand twice that quantity He deliberately avoided taking delivery during the three months, and then forced the aboriginals to double their supplies Contracts of a similar type are given not only for minor forest produce but also for *ghr*, mustard-seed, other oil-seeds and, in malguzari

*See paragraph 213

forests and Government forests where departmental working is not undertaken for carting. Not only is interest at high rates exacted by the contractors on the advances thus made to the aborigines but the rate at which they pay them for the produce which they contract to deliver is never more than three-fourths of the current market rate. Legislation is needed to stop such advances and previous contracts, or at least to regulate them by requiring contractors also to take out a special licence to contract in tribal areas of the same type as that suggested for moneylenders after all this advance system amounts to money lending of a very usurious kind. The following extracts from a recent inspection note recorded by Mr K N Subramanian ICS Deputy Commissioner of Chanda on conditions in the Muslim owned Gewardha Zamindari one of the Partially Excluded Areas of the Garchiroli Tahsil further illustrates the ways of contractors with aborigines and the need of the control suggested above —

* * * *

In certain other villages the complaints are of a slightly different nature. I am referring to villages like Gothangaon Korchu Kotra and Bethkati. In these villages the tenants are made to feel that the lac belongs to them but the zamindari *thekadar* Haji Mir Ahmad Hussain of Bethkati has been cheating the tenants by taking lease of large numbers of trees for five and ten years for ridiculously low sums. I give one or two examples. Ako son of Kolu Gaoli of Bethkati has 100 *palas* trees in his field on which lac has been propagated. These trees have been leased to the contractor for a period of 10 years for a total sum of Rs 16 i.e. at the rate of about Re 1 10-0 per year. The tenant has been persuaded to execute a written lease which is with the contractor. 100 trees will yield anything from two to four maunds of lac per year. The present rate of lac is Rs 12 per maund and sometimes the rate goes up to Rs 15. Taking a minimum yield of two maunds and a minimum price of Rs 10 per maund the produce must yield at least Rs 20 per year. With a good yield and a good price anything up to Rs 50 or Rs 60 may be got. Similarly Dannerhu son of Jogi Gond of Bethkati has 80 *palas* trees in his field. He too has entered into a written contract with the contractor leasing the produce for a period of five years for a total sum of Rs 13-8-0. The tenant has received about Rs 2 12-0 per year as against a proper sum of about Rs 20 to Rs 30. One Madhao son of Nimba Kalar of Butekassa has 1000 trees in his holding at Korchil and Butekassa. He has been paid Rs 37 per year. I do not know whether these long term leases of trees are valid. The proviso to section 96 of the Tenancy Act permits a written contract only in favour of the landlord. Under section 12 (1) (i) an occupancy tenant may sublet any right in his holding only for one agricultural year. Under section 6 (1) (c) an absolute occupancy tenant can sublet such right for a period not exceeding 10 years. But most of the tenants in the zamindaris are only occupancy tenants. A lease of the

rights in trees for a period of five or ten years seems to be of doubtful validity. I shall, however, look into the matter further. What the contractor has been doing is wholesale swindling. In many villages the tenants have begun to assert their right to *lac* from this year onwards. In their anxiety to get whatever rights they can, illiterate tenants have been agreeing to very low sums. When I questioned them on this point, they said that a nominal right was better than no right. I asked some of them why they could not themselves remove the *lac* and take it to a proper market. There are many reasons why this is not being done. Firstly, they are too lazy to stir out of their villages. They know nothing of the world outside. Secondly, some of them told me that if they attempted to do any such thing, the contractor would come down upon them and perhaps not give them even the nominal sum which he was offering. I can well believe this statement, because I have come across cases of forcible distraint of *haria* which persons were taking to neighbouring markets. The contractor is a bully, and has many scoundrels as his servants. The poor tenants dare not go against his wishes. I enclose a copy of one of these leases, which mentions that 110 trees have been leased to the contractor for a period of five years for a total sum of Rs 17-8-0. I now propose to take legal opinion regarding the validity of these leases. I do not know whether it will be possible to persuade the contractor to give the lessees proper prices.

"In no village in the zamindari do tenants enjoy the right of removal of *harra* and *tendu* leaves from their holdings. The same contractor, Haji Mir Ahmad Hussain of Bethkati, is also the contractor of the zamindari for *haria* and *tendu* leaves. He insists upon taking these from occupied fields also. He permits tenants to collect *haria*, whether it be from their own fields or from the *malguzari* forests, and gives them wages at rates varying from Re 0-1-6 to Re 0-2-0 per tin of *haria*. These are merely wages and not the cost of the produce. This is admitted by the contractor himself. Section 95 (1) of the Tenancy Act, says that subject to any right existing on the date when that Act came into force, or to any entry in the *wajib-ul-arz*, a tenant shall have the same right in fruit trees in his holding as he has in the holding itself. In all villages that I have come across, part 7 of the village administration paper, entitled "rights in trees", says that tenants have the same right in fruit trees in their holdings as they have in the holdings themselves. In other words, it repeats the provisions of section 85 (1) of the Act. It is true that there is a sentence at the end of this part which says that the zamindar has fruit trees in holdings and that their disposal is governed by part 6 (6) of the village administration paper. This relates only to such of the trees found in holdings as are entered in the zamindar's name. Otherwise all trees are at the disposal of the tenant. A large number of persons have complained to me that the contractor has prevented them from taking *harra* to the nearest market. Harsing, son of Jita Gond, of Kotra, Maharu, son of Mehr Gond, of Kolupadi Kasa, Tari, son of Drugshah Gond, of Hitapadi, Summersingh, son of Anodi

Gond, of Shikartola, Budhu, son of Rarsingh Gond, of Kaimur Ramdayal son of Bisnath Kavar, of Bihite-Khurd and Nandu son of Laxi Halba of Markekasa are some of the complainants. They have said that the contractor snatches away the produce and prevents their carts from going to the market. There was a recent instance of this obstruction Pillu, son of Rajaram Kavar of Bihite-Kalan has stated on affirmation that about a month ago he was taking 12 tins of harra in a cart to Kokdi a village in the Bhandara district. Near Hitapadi Tirru Gond a servant of the contractor stopped him and asked him why he was not selling the produce to his master. He forcibly seized the property and took away the bags. Even the customary wages were not given to Pillu. *Prima facie* this seems to be a case of theft. I do not know whether the complainant will be able to adduce evidence in support of his allegation but I shall report the matter to the police for such action as they deem necessary. I intend to look up the legal position and if the right of the tenants is established the highhandedness of the contractor will have to be stopped.

Several forest officers, in the correspondence arising from the inspection note on the condition of aboriginal tribes in the Balaghat and Mandla districts recorded in March 1940 as Governor of the Province by Sir Francis Wylie KCSI CIE ICS have mentioned also the malpractices of carting contractors who by the grant of advances on usurious terms almost make aboriginal cartmen their bond servants. Much control over carting contractors could be exercised by Divisional Forest Officers the blacklisting by whom of offenders would do much to stop this evil ultimately all forests should be worked for major produce departmentally an admirable system for safeguarding the aboriginal and one which he soon appreciates, as witness the clamour from the Gond and Korlu of Betul Tahsil for the introduction in that forest division of the system which they have seen for themselves in the Bori forests of the adjacent Hoshangabad forest division. So far as other contracts are concerned Mr Symington made two recommendations* that would be useful (a) that recoveries of old and new debts from members of the backward classes in any form other than cash should be penalized and (b) that moneylenders must be prohibited from simultaneously carrying on business as dealers in agricultural produce and from making loans to Bhils on condition that their crops are sold to or through any particular person and deterrent penalties should be provided. Perhaps to begin with however except in the most backward areas such as Ahuri zamindari most of the Garchiroli zamindaris the Chhindwara jagir the Satgarh zamindaris Dindori Tahsil the zamindari villages and Baiga areas of Baisar Tahsil the Partially Excluded Areas of Drug District and the Melghat it would be sounder to regulate rather than prohibit and to regulate by the method of special licence for after all it is going to be difficult and take time to make effective alternative arrangements for the provision of credit to the aboriginal who has now little security to offer but his labour his produce or the forest produce that he gathers.

233 There is a volume of opinion, from judicial officers in particular, that the Moneylenders Act must compel moneylenders to keep proper accounts, particularly in backward areas. Several mention that now, in order to evade the provisions of the Usurious Loans (Central Provinces Amendment) Act and the Pachmarhi notification no 1060-836-XIII of May 29th, 1934 thereunder directing that compound interest at a higher rate than 10 per cent shall be deemed to be excessive, moneylenders habitually get documents executed for sums larger than those actually advanced, often many times larger, thereby not only securing their old excessive interest on the actual advances, but also staking a claim, hard to rebut in law, for a principal far greater than their right. This practice, they suggest, should be a serious penal offence under the Moneylenders Act throughout the province. So also, it is recommended, should be the allied practices of splitting up one old account into two or three when bonds are renewed and of omitting in new bonds to give details of the original debt transactions which they replace or supplement, and, instead, of showing the combined principal and interest due on old debts as fresh cash advances. This is obviously desirable. Another aspect of this will come into the discussion below of the action to be taken on the suggestions contained in question (13)*

234. Question (14)* enquired the number of suits for debt recovery against aborigines in 1939 and of those in which the creditors lost their suits. The question in strict logical sequence would not come in this place, but the answers, incomplete though they are, are interesting as showing really what little reliance is placed by the moneylender in backward areas on the courts and how much, therefore, he operates through touts, duns and other methods or merely through the inertia and ignorance of his clients, who, as in the extracts above relating to the Maria of Chanda District, go on from year to year handing their surplus produce to the moneylender without ever knowing what legal claim he has against them. In Jubbulpore District out of 5,111 money suits in 1939 there were only 140 in which the defendants were aborigines, the figure for the whole district of those which creditors lost to aboriginal defendants is not given, but in the court of the Additional Sub-Judge of the Second Class in Jubbulpore out of 36 such suits the creditors lost 12. In Mandla District in 6½ years there were only 206 suits filed by creditors against Gond debtors, and the creditors won all but 16, or 78 per cent. In Saugor District in 1939 aborigines were defendants in only 31 out of 5,142 money suits, the figures of those lost by creditors have not been supplied. In Hoshangabad District out of 57 the creditors lost 20. In Nimar District the only figures given are for the Court of the Sub-Judge of the First Class at Khandwa where creditors won all the 58 suits brought against aboriginal debtors, and for the Burhanpur Sub-Judge's Court, where out of 52 such suits the creditors won 45, six were dismissed in default and one was compromised. In Wardha District there were only nine such suits, of which the creditors won six and the courts dismissed one in default and two on merits.

*See paragraph 213

For the whole of Nagpur District no figures have been given it is stated that in the Courts of the Sub-Judge at Katol and Umrer there were no such suits. In Bilaspur District there were only seven suits all won by the creditors. In Drug District there were 12 such suits all against Gond or Kavar defendants of which two are pending one was compromised three were won by the creditors on merits and six *ex parte*. In the Melghat taluq of Amraoti there were 16 such suits of which the creditors lost four. The figures show that the courts do not always let the creditor have things all of his own way but even then the great majority of the cases result in decrees for the creditors. But the total number of cases brought in court against aboriginal debtors is very small. Moreover many of these are suits against substantial Raj Gond or Muasi Korku or Tanwar proprietors the figures include also suits against aboriginal zamindars. The civil courts really have little to do with aboriginal debt. The implication is that measures to help the debtor in backward areas will have to be administered mainly by executive officers or at least by touring courts. It is also quite unsafe for the High Court or the Government when considering whether or not to grant civil powers to Revenue Officers in remote tahsils to place any reliance upon the actual figures of suits in which aboriginals are involved. Such cases do not come to the courts because of the mental slavery of the aboriginal to the moneylender who can recover his debts by his own means or because of the remoteness from the aboriginal of the courts to which he now has to go if he wants redress in civil matters against a money lender or a contractor. It may be argued that one effect of the measures proposed might be to drive the moneylender more to the courts to effect recoveries, as in the case mentioned from Karanjia where the moneylender prosecuted by the Gond widow under the Protection of Debtors Act revenged himself on her by filing two suits against her in the civil courts at Mandla. In itself this would not necessarily be a bad result courts administer substantial if expensive and somewhat tardy justice and it may be fairer to the aboriginal to be delivered by legal process from the exploiter than to suffer all his life from continued exploitation. Nevertheless if he has to secure this relief he will only do so if the courts are close at hand. There are practically no village panchayats under the Village Panchayats Act in the average aboriginal area and therefore few Village Courts under that Act and not much justice can at present be expected from those courts since the number of aboriginal panchayat members is so very small and too often the local moneylender is himself a member of the Village Court or in a position to bring influence to bear on those members of the panchayat who do sit on the court. In fact any registered moneylender should be disqualified from being a member of a Village Panchayat or at least of a Village Court or Bench. All this points to the desirability of strengthening the position of the Tahsildar and the Naib Tahsildar to enable them to give justice in simple civil matters when on tour. The best method of doing this appears to be legislation on the lines of the Bombay Mamlatdars Courts Act 1906 particularly section 6. It indi

*See paragraph 136 and Appendix F at the end of this Report.

cates also that the powers conferred by section 6 of the Bombay Act should be enlarged so as to make it possible for the tahsil officers to exercise debt relief jurisdiction in the backward areas of their tahsils

235 Question (13)* dealt with suggestions for improving the debt relief procedure in its application to aboriginal areas. Appendix F at the end of this Report reproduces paragraphs 215 and 217 of Mr Symington's Report, from which were taken recommendations (a) to (d) in question (13). In theory of course we have already had debt conciliation in most of our aboriginal tracts and in theory also our aboriginals can still secure relief from the present Debt Relief Courts. In practice, as we have seen, they are not securing this relief, and one obvious reason is the distances of the Debt Relief Courts from the aboriginal villages and the constant trouble to which repeated attendances at the court would put the aboriginal, not to mention the addition to his indebtedness which expenditure on these distant proceedings would involve. Is it really contended that an aboriginal debtor in the heart of Dindori Tahsil can be expected to go for debt relief to a court sitting in Mandla? That is why the suggestion (b) that the Debt Relief Court should tour in each tahsil is important. We are in this province always confronted by the difficulty of finding extra staff for such work or the extra money needed for travelling expenses. As we are finding out, especially at the moment when confronted with demands for extra work and extra staff for war and famine work, retrenchment has gone so far that in an emergency effective action is crippled by lack of staff. Although nine out of every ten replies to question (13) approved the principle that Debt Relief Courts should tour, yet many a reply, while admitting that it would lead to more cases coming to courts and more relief to the debtors, spoke of the extra cost as making the scheme prohibitive. The District and Sessions Judge of the Chhindwara civil district, which includes the whole of Chhindwara and Balaghat revenue districts and therefore the Partially Excluded Chhindwara jagirs and Baihar Tahsil, pointed out that it would be quite impossible for the Sub-Judges in his district now functioning as Presiding Officers of Debt Relief Courts (in addition to their ordinary civil work) to tour in this way, no extra staff has been given there (or for that matter in by far the greater part of the province) for debt relief work, and four judges are now doing the work of seven, so that increasing delays are inevitable. He suggested that it might be possible to appoint temporary Presiding Officers recruited like the Naib-Tahsildars recently specially appointed to deal with criminal cases, but he thought that the work would probably be too complicated. Rai Sahib S. Sanyal, the experienced Deputy Commissioner of Bhandara, considers that in tribal areas the Presiding Officer of a Debt Relief Court ought to be a Revenue Officer, preferably a Tahsildar with experience of aboriginals. It is inevitable, in my opinion, if measures for the composition of debts are to give effective relief in the backward areas, that there should be touring relief courts, and as things now go it will be impossible for Sub-Judges to tour. Tahsildars and

*See paragraph 213

Naib-Tahsildars with powers similar to those given by the Bombay Mamlatdars Courts Act* are the only alternative and it might be necessary to supplement them by re-employment of recently retired men. The High Court recognises that in order to obtain the maximum benefit from an enactment designed to help indebted agriculturists it is essential that Debt Relief Courts should be as numerous as possible thus bringing to each prospective applicant under the Act as convenient a forum and opening the provisions of the Act to as wide a field as possible † it therefore though considering it really desirable to restrict jurisdiction under so complicated a measure to selected judges decided to establish a Debt Relief Court at all the places where there were regular civil judges and to give them the maximum jurisdiction under the Act. The only place without a permanent civil court for which it was possible to make special arrangements for a visiting Debt Relief Court was Balapur in Akola not a backward area while in a few places where debt relief work is very heavy it was possible to post judges to do this work only. But the High Court was handicapped by the small cadre of civil judges a number of days each month being reserved for debt relief work. The High Court comments on the uneven nature of the progress in different districts as being due owing to the limitation of the cadre to the impossibility of providing at the same time adequate help in all places needing it. The discussion of the table of cases instituted under the Act up to the end of 1940 in the different civil districts given in paragraph 9 of the Report attributes the very low institutions in Raipur and in other backward tracts such as Mandla Bala ghat and the Sihora Murwara tract of Jubbulpore to the backwardness of the people and suggests that there is a rough relation ship between the pitch of institutions and the advancement of the population. It is arguable that another reason for the lesser number of institutions in the backward areas is the distances of the Debt Relief Courts from the aboriginal debtors. The whole of this most interesting Report is worth careful perusal before a decision is taken on the recommendations in regard to debt relief in this Chapter. Control of debt relief work by higher courts is clearly necessary and even if Tahsildars are empowered as suggested it would seem necessary to secure that revisional and controlling powers should lie with the District Judge and the High Court as over the existing Debt Relief Courts. The cautions in the Report against the tendency to thoughtless use of the penal powers provided in section 8 of the Act against courts evading responsibility by framing schemes based on agreed instalments properly to be fixed and against the preparation of schemes in a routine formal way without devoting individual attention to individual cases, are most salutary and would need to be emphasized more especially in areas where Revenue Officers might function as Debt Relief Courts. These Revenue Officers would start work with the assistance of the great experience that has been gained by the civil judges in the administration of the

See Appendix F at the end of this Report.

† Report on the Administration of the Central Provinces and Bihar Relief of Indebtedness Act from July 18th 1939 to December 31st 1940.

Act, and it should therefore be possible to provide more explicit rules for their guidance. One caution only is necessary. In the backward areas so far as possible the courts should avoid settlements of debt by transfer of aboriginal debtors' lands, in paragraph 15 the Report laments the little use made of this power.

236 If debt relief jurisdiction cannot be given in this way to Revenue Officers, then at least in the backward areas use must be made of Mr Symington's suggestion that before making an order for payment the Debt Relief Courts must take into consideration particulars to be supplied by the local revenue or forest officers of the debtors' property, income and number of dependants, in other words the decision of the aboriginal debtors' capacity to pay should be fortified by enquiries made in their villages.

237 Almost the most important of Mr Symington's suggestions is that instead of an aboriginal debtor having to apply to a Debt Relief Court for determination of his debt, which owing to his ignorance and often misguided sense of honesty he will generally not do, the onus should be on the creditor to prefer all claims against aboriginals with the Debt Relief Court within a specified period, and no claim not so lodged should subsequently be enforced at law. Out of every 100 replies received to this question 99 welcome this suggestion. The presiding officer of one Debt Relief Court says that the present Debt Relief Act is useless for aboriginal debtors and that creditors should be compelled to bring all debts due from aboriginals to the court within a fixed time on pain in default of discharge of the aboriginals from all liability, in his view the debts should be reduced and brought within the aboriginals' paying capacity on a scale much higher than that contained in the Act. The opinions are almost unanimous in saying that where aboriginal debtors are involved, the burden of proof must be shifted on to the creditor. Mr Irshad Ali, pleader, of Raipur, considers that the period within which creditors must prepare claims against aboriginals should be limited to one year. The only word of caution is that this step might make it harder for aboriginals to get loans in the future or that it would be hard on the honest moneylender. All such measures certainly would make it harder for aboriginals to get money from moneylenders, but the whole object is to protect them from such persons. The mention of a possible honest moneylender reminds me of an epitaph of about 1630 A.D. on a tomb in the church of my native village of Pelynt in Cornwall —

"Here lies an honest lawyer, wot you what,

A thing for all the world to wonder at"

Substitute moneylender for lawyer, and the epitaph would be truer. I think we can safely leave the honest moneylender to be protected by the equal honesty of the average aboriginal debtor and by the good sense and justice of the courts. One Sessions Judge suggested that it was not necessary to place the onus on the creditors of aboriginals, but thought that the aboriginals' failure to use the Act might be overcome by an extensive

campaign undertaken to enlighten them. The number of people in this province able to conduct such a campaign is limited. A handful of officers can speak Gondi only one or two know Korku and probably none know Kolami while few educated persons whose mother tongue is Hindi are at home with local dialects of Hindi spoken in the tribal areas. The enlighteners would pay fleeting visits to a few centres but the moneylenders with their counter propaganda are always on the spot we have seen how in Ahiri Zamindari they persuaded the Maria themselves to come forward with applications that they wanted no one to intervene between them and their beloved moneylenders. Any dependence upon a campaign of enlightening the aboriginal debtor as to rights under the Debt Relief Act will achieve only one thing it will effectively deter him from coming forward.

238 Mr Symington's suggestion that when the Debt Relief Courts begin work in aboriginal areas there should be a moratorium in respect of principal and arrears of interest (not current interest for the year) pending the relief court's decision in each case, is sufficiently met by section 6 of the Act though sub section (1) of section 5 of the Act in its application to aboriginals might be amended to provide that where a debtor is an aboriginal the civil Judge shall draw his attention to section 6 of the Act and shall assist him to draw an application to be presented to a Debt Relief Court under sub section (2).

239 Suggestion (c) in question (13)* was that one or more Government pleaders should be appointed at the public cost for each Debt Relief Court to represent aboriginal debtors. Mr Symington who made this suggestion added that these pleaders should receive assistance from local officials in the collection of material. The opinions in the answers to the question were almost evenly divided for and against this proposal. Some suggested that it favoured the aboriginals at the cost of others equally poor a point of view which has an *a priori* plausibility but overlooks the fact that the aboriginal is the most gullible man in the province and is easily met by saying that the same privilege could be extended to illiterate and ignorant members of other castes unable to afford legal assistance. On the whole however this might not be necessary if the Debt Relief Courts made full use of reports from local revenue and forest officers as to the circumstances of debtors and of the transactions which the creditors allege them to have entered into. There are many backward areas where it would be very difficult to get pleaders e.g. Dindori Niwas and Bahar Tahsils and the Satgarh Chanda and Drug zamindaris. The whole question of the provision of free legal advice for aboriginals is beset with difficulties. Possibly the wisest approach to the question may be a scheme suggested by Mr I. A. A. Snelson I.C.S., the present Registrar of the Nagpur High Court on the lines of the English system whereby free legal advice is given by a panel of voluntary unpaid members of the legal profession such as the panel organised by the Institution

that his old debts were legitimately claimed, or included in the new bond and without this proof the suit should be dismissed no court should enforce oral money transactions or oral claims in respect of credit sales to aboriginals unsupported by documents. It is obvious from all that has been said about the ways of moneylenders in backward areas that any recital in the average document produced by the moneylender is false. The law should therefore permit the court in such areas to presume that a document thus produced and purporting to bear the thumb impression or other attestation of an aboriginal debtor is false the creditor would then have to prove what led up to the document*.

241 *Rate of interest*—The present Debt Relief Act in section 10 directs the Debt Relief Court to open all transactions made 12 years before the last transaction or before January 1st 1932 whichever is earlier and as far as may be ascertain in respect of each loan the date on which it was originally advanced. The court has then to recalculate the interest in accordance with the rates specified in the first schedule or such lesser rate of interest as may have been agreed upon between the parties. The first schedule fixes compound interest at 5 per cent per annum with yearly rests and simple interest at 7 per cent per annum on secured and 10 per cent on unsecured debts. If the Debt Relief Court finds that the loan was originally advanced before January 1st 1932 it has first to determine the original principal in the light of the interest permissible as above, and then to reduce the principal under the second schedule by 30 per cent if it was incurred before 1926 by 20 per cent if incurred in 1927 1928 or 1929 and by 15 per cent if incurred in 1930 or 1931. On a new debt incurred in or after 1932 nothing can be done except to fix instalments and to restrict the total award on account of arrears of interest to a sum equal to the principal of the loan. Under the Central Provinces Usurious Loans (Amendment) Act the Provincial Government has as already noted by notification directed that compound interest in excess of 10 per cent on any loan made after June 14th 1934 shall be deemed to be excessive. I suggest that for Partially Excluded Areas and any other aboriginal areas notified in this behalf the following simple provision from section 3 of the Madras Agency Tracts Interest and Land Transfer Act 1917 (Madras Act I of 1917) would be simpler fairer and more practicable.

In any suit instituted after the commencement of this Act notwithstanding any agreement to the contrary—

- (a) Interest on any debt or liability shall not as against a member of a hill tribe be allowed or decreed at a higher rate than six and one-fourth per centum per annum nor shall any compound interest or any collateral advantage be allowed as against him
- (b) the total interest allowed or decreed on any debt or liability as against a member of a hill tribe shall not exceed the principal amount

*The answers to question (15) are dealt with in the next Chapter at paragraphs 49 and 267

CHAPTER VIII—BOND-SERVICE

"When that year was ended, they came unto him the second year and said unto him, We will not hide it from my lord, how that our money is spent, my lord also hath our herds of cattle, there is not aught left in the sight of my lord but our bodies, and our lands, wherefore shall we die before thine eyes, both we and our land? buy us and our land for bread, and we and our land will be servants unto Pharaoh and give us seed, that we may live, and not die, that the land be not desolate."

—*Genesis, xlviii, 18-19*

"Some know the curving plough, and score therewith
Earth's timbered fields, in year long bondage led"

—*Solon (B C 594), trans T F Higham*

"Your labour only may be sold, your soul must not"

—*Ruskin, Time and Tide, 81*

242 Term (c) of the terms of reference of this enquiry was "the extent of bond-service amongst aboriginal farm-labourers". This condition of life has already come prominently into the picture of economic conditions in the aboriginal areas which the preceding chapters have been building up*, it is an ancient evil, as indicated by the first two quotations at the head of this chapter, the first from the days when Joseph was the Minister of the Pharaoh of Egypt, the second from Solon, the anti-debt law-giver of Attica six centuries before Christ. In Attica it came in the train of the substitution for transactions in kind or by barter of a metal currency—as we have seen the moneylender and debt coming into the Maria country with the abolition of *podu* or *bewar* cultivation.

243 The summary accounts of the conditions of service of farm labourers in the province given in the District Gazetteers present a very incomplete picture of the conditions of farm-service among the many aboriginals who are landless labourers or are the younger brothers or sons of aboriginal tenants. So far as the Provincial Banking Enquiry of 1929-30 considered the subject of bond-service at all, it was rather, as in paragraph 791 of their Report, bond-slavery used in the loose sense of tenants so heavily indebted to their *malguzar* that all the produce of their fields went to him and they had never any chance of freeing themselves from the burden of ancestral debt. The bond-service that is the subject of this enquiry is employment as farm-servants for a *malguzar* moneylender or other cultivator in return for an initial loan given to finance a marriage, a caste penalty, a funeral-rite, a fine imposed by a Criminal Court, or similar objects. The Banking Enquiry Report as a whole says little about agricultural labour, although in paragraph 370 it speaks of many agricultural labourers as able to maintain themselves and their families on

*See, for example, paragraphs 103, 184 205—9 and 229.

wages of Rs. 10 a month, and of Rs. 15 as the provincial average amount in cash and grain needed for the feeding and clothing of the average family of an agricultural labourer in farm service (In the Chhindwara District at the moment the wages of a *barsalia* aboriginal farm labourer seldom exceeded Rs. 50 a year and are often less though supplemented by wages earned by his wife and children)

244 Few aboriginal villages were surveyed by the Committee but its survey of the village of Bhikarmandwa near Jhallar on the Betul Ellichpur road in the Bhainsdehi tahsil gives a typical example of the kind of bond service which is the subject of this enquiry. Rajji, an illiterate Korku, holding 16 acres of land rented at Rs. 8 and valued at Rs. 400 borrowed Rs. 200 from the moneylender malguzar of Jhallar at 25 per cent interest for the marriage of his son. His only other source of income was Rs. 250 a year from extracting timber for sale in Ellichpur market. He practically sold his son into bondage to the money lender by executing a bond binding his son to serve the money lender until the debt was paid off in return the moneylender was to pay the son only four *khandi* of grain then worth Rs. 48 as his yearly wages.

245 In the final report of the working of the Chhindwara and Amarwara Debt Conciliation Boards from which a long passage has already been quoted in the preceding chapter the Chairman devoted special attention to this question. He found that about 10 per cent of the aboriginal population in the jagirs was indebted that the average debt of a Gond cultivator on land assessed to Rs. 6 or Rs. 7 rent was Rs. 400 and that the debt was almost always incurred to finance some family festival or marriage ceremony. Conditions were similar in the *bhalsas* but there owing to the greater demand for field labour malguzars and cultivating moneylenders were always ready to advance loans on the pledging of the labour of some member of the borrower's family. The usual stipulation is that a member of the family will repay the annual interest charged on the marriage loan by working as a whole-time farm labourer at a remuneration varying from Rs. 20 to Rs. 40 a year. Strict conditions are imposed thus no holidays are allowed which operates very harshly on the aboriginal with his happy go-lucky existence and his passion for dancing and social celebrations. As a result at the end of the year when the employer presents his accounts the labourer finds that he never gets the full year's wage. At the beginning of the monsoon this labourer or *barsalia* has to have an advance of grain from his employer to feed himself and his family as by then there is no agricultural labour available for his women and the family stock of grain is exhausted. This gives the creditor a chance to spread his net wider and cases came before the Chhindwara Debt Conciliation Board in which original debts of Rs. 50 had swollen to Rs. 150 or Rs. 200 in the employer's current accounts although for seven continuous years the *barsalia* or one of his sons had worked for him. In a typical example given in an appendix to the Report a *barsalia* who was employed on an annual remuneration of Rs. 38 in return for a marriage advance of Rs. 44-40 had been marked absent for four months and 19 days on account of holidays sickness or floods. The

advance of Rs. 44 had been written up to Rs. 60 on a mortgage-deed at an initial interest of apparently 50 per cent, and Rs 7 added in as the cost of 1½ *khundi* of *kutki* advanced to the *barsalia*. With this and other advances received during the year, at the end of the year the *barsalia* was shown as having already received Rs 22-4-0, against Rs 23-8-0 due for a year's work less absences totalling four months and 19 days. The mortgage account was then made up with 25 per cent interest charged, and the year's complete work, instead of bringing the *barsalia* any nearer the quitance of the marriage loan, showed his debt due to the employer is swollen to Rs 72.

246 Some cases were recently reported by the Commissioner of Chhattisgarh. A Raipur *naukarpattia* deed in consideration of a Rs 50 loan for the marriage of the borrower's son bound him to repay the debt by the entire year's crop of his field, by offering two head of cattle and by undertaking together with his son to serve the creditor until the debt was fully satisfied. The bond did not specify the value to be placed on the crop, the agency for appraising the value of the crop, or the monetary value of the labour. The Chairman of the Bhandara Debt Conciliation Board in 1938 reported similar conditions, which he considered to be semi-slavery. In one case reported by him a Mahar and his two sons, as co-debtors, borrowed Rs. 24 from a Marwari moneylender in Sakoli taluk for the marriage of one of the two sons, undertaking to repay Rs 30 including *sawai* interest, and that the bridegroom and his future bride should render the moneylender whole-time service "at all and any hours of the day and without negligence", for this they were to receive Rs 3 monthly wages, of which Rs 2 was to be credited towards the payment of the debt and Re 1 to go to the boy and the girl for their "eating", if they left the service of the moneylender, they bound themselves to pay him twice the amount borrowed. The Chairman pointed out that this young couple could not possibly live on a rupee a month and must inevitably resort to further borrowing and never free themselves until their children were old enough to take their place. He stated that the practice was very common in Bhandara District, and that the general experience was that a borrower, never being able to pay up the amount due in the prescribed period of one, two or three years, had to undertake further terms of service, which under the circumstances became little better than slavery.

247 When, however, certain districts of the Chhattisgarh division were consulted as to the need for legislation, replies came that such practices were not common enough to merit action. This is directly contrary to the experience, as has been seen, of the Chairmen of the two Debt Conciliation Boards, who had perhaps greater opportunities than most Government officers of realizing how far the practice was prevalent. Mr Jayaratnam in paragraph 28 of the Bilaspur Zamindaris Settlement Report, 1928—30, remarks that the *kama* or *saonja* system, which was really non-statutory tenancy and "closely allied to the *kamauti* system of semi-slavery in parts of Bihar and Malabar", was common in the open country though not met with in the aboriginal areas of the northern zamindaris, it naturally is not common in the areas where the aboriginals form 80 to 90 per cent of the

tenantry often of aboriginal *malguzars* or else live in *raiyatwari* villages. It is only where the aboriginal comes into contact with the Hindu or Muslim *malguzar* and moneylender that he becomes the victim of agreements of this nature especially where he has already lost most of his land and being almost a landless labourer has no other means of raising the money needed for marriage or other purposes than the pledging of his own or his relatives' labour.

248 In some areas outside the Central Provinces the problem has been recognized as acute. In Bihar a Kamiauti Agreements Act was passed some 15 or more years ago to require the registration of such agreements and to regulate them so that their terms might be fair to the aboriginal. The Government of Bihar has been asked to give details of the present position. In Bastar State where the majority of the immigrant moneylenders and village lessees have come from Chhattisgarh the conditions under which aboriginal farm labourers there known as *kabari* were bound to work for their foreign employers were so bad that special steps had to be taken. It was made known generally that the worst type of agreements would not be enforced by the Civil Courts as being contrary to public policy and a set of *Kabari* Rules was introduced which it is understood have removed the worst evils of the system. There were many cases in Bastar in which an aboriginal family had served the same non-aboriginal family as *kabari* for several generations. In the Vizagapatam District of Madras and the Koraput District of Orissa the prevalence of the system there known as *goli* has long been notorious. In Hyderabad State the persons whose labour is thus pledged are known as *bhagela* and the State has had recently to enact a stringent law with penal clauses to remedy the worst abuses.

249 Some information on this subject is contained in the answers to question (15)* of the questions reproduced in the last chapter. In order however to ascertain the exact picture of conditions in the province a separate questionnaire on bond service was drawn up and is reproduced as Appendix G to this Report. It was pointed out that the *barsatia* or *kabari* is often a member of the Scheduled Castes and that therefore the investigation should not overlook non-aboriginal farm labourers especially as in aboriginal country the Mahra Panka or man of other Scheduled Castes lives under the same primitive conditions as his Gond or Baiga neighbour. It was suggested that the questions could best be answered by selecting in each tahsil nine or ten villages one or two purely aboriginal but belonging to non-aboriginal proprietors with home farm cultivation one or two market villages in aboriginal areas with several non-aboriginal *malguzars* and moneylenders and the others in the more open country where the aboriginal begins to give way to the Hindu of the plains and in these selected villages calling up all the farm servants and examining the terms of their employment. Copies of the questionnaire were also to be sent by the Deputy Commissioners to social workers and other non-officials including the local agents of the Tea Districts Labour Association and mine and factory managers experience in some other parts of

India having shown that apart from entering into bond-service almost the only alternative way of securing money for wedding and other necessary expenditure, or of escaping debt and bond-service incurred for repayment of debt, is to go to the Assam tea gardens or to some mining or industrial centre for work

250 The only attempt to deal with anything akin to bond-service by an Act of the Central Legislature appears to have been the Children (Pledging of Labour) Act, 1933. Under this Act, where the person bound to serve under an agreement is a child under 15 years of age, such agreements are void. In the memorandum issued with the questionnaire (in which question no. 12 deals with this subject) it was pointed out that unfortunately the Act had had no local publicity, and offences against it were not cognizable, moreover as few aboriginals married during childhood and in the case of loans both for marriages and for other purposes usually pledged their own labour or that of an adult son or younger brother, the Act afforded no remedy. All the replies received bear this out. No courts in the province seem to possess copies of the Act or even to have heard of its existence before this questionnaire. Not a single prosecution under the Act is on record in the province. Actually pledging of child labour however does occur and some district replies quote a few examples, the youngest being that of a child of nine in one of the Raipur zamindaris. The Act as it stands is one of those many Acts on the Indian Statute Books which might as well not exist for all the attention that is paid to them: so long as its enforcement depends upon the complaints of private individuals nothing will result from it. If any Act or Regulation results from the present enquiry, then it might well contain a section making offences against the Children (Pledging of Labour) Act, 1933, cognizable in any area to which the new Act or Regulation may be applied.

251 The general answers to this questionnaire are of great interest and a collation of them would give a fairly exhaustive picture of the conditions of farm-service or bond-service in all parts of the province. The short time at my disposal for writing this report makes it impossible to undertake a detailed study here of the replies. One such study has already been made for Balaghat District in pages 54 to 61 of my report on *The Aboriginal Problem in the Balaghat District*, to which a reference should be made. The evils existing in Balaghat District exist in a far worse form in certain other districts, notably Mandla, parts of Nimar, Betul, Chhindwara, Bhandara and the Raipur zamindaris. In some of the most backward areas, however, such as the Satgarh zamindaris and parts of Drug, where the bulk of the tenantry remains aboriginal, conditions are not as bad except where a village is in the hands of a non-aboriginal malguzar, lessee or patel, who does not deign to do his own cultivation. In Chanda District in the wilder Maria zamindaris the evil is hardly known, but many bad cases are cited by Mr J. D. Kerawalla, Extra-Assistant Commissioner, in an interesting reply to the questionnaire, from the same villages of the Chanda tahsil as mentioned in his report reproduced in the account of loss of land. Of conditions in the Satgarh zamindaris Mr A. M. Jafri, Extra-Assistant

Commissioner, who drew up the district reply, notes that conditions there vastly differ from those in the advanced plains tracts where the pressure on land is now very heavy. In the Satgarh more land is available than at present needed and often a farm labourer becomes a tenant. The aboriginal cultivator whether a big tenant or a *gaontia* does not need to hire farm labour as he and the male and female members of his family do all their field work except that for weeding and harvesting some outside labour has to be engaged. In the villages however where there are substantial cultivators or *gaontias* who are not aboriginal that farm labourers are engaged known as *kamias* the term used in Bihar where we have found that *kamiantu* agreements had to be regulated by law. He suggests that the name by which the *kamia* is commonly known in the Satgarh villages indicates the easiness of their lot: that name is *sukh basi* (one who lives an easy life). Nevertheless the general note on aboriginal conditions in the Satgarh mentions a number of cases where these aboriginals pledged their labour in return for an advance of money to pay off wedding and other expenses.

252 The replies from the Mandla District give a picture of things at their worst though the Roman Catholic Chaplain of Harda has given a dreary picture of conditions in the Deshi Korku villages. I reproduce first of all an interesting general account of the farm labour system and conditions in Mandla and Niwas tahsils drawn up by Roman Catholic missionary priests —

The system of engaging farm servants is nearly the same in all parts of the district but the prevalence of the various systems varies. Generally there are three ways of engaging labour —

- (1) *Banni* work against daily wages
- (2) The *Harwaha* or ploughman is engaged for about six months from Holi to Pola, for the monsoon crop, or for three months from Kunwar or Bhadon till Kartik or Pus for the post monsoon crop
- (3) The *Barsi* (near Dindori Barkhi) who is engaged for one year

Near Mandla the *bannihar*'s wages are 2 or 2½ sometimes 3 seers unhusked rice or 1½ seers wheat while the *harwaha* receives his food and a total of 15–20 seers *kodon kutki* *san* and rice seeds to be sown in the employer's fields with the employer's bullocks. Very often the product of these seeds is very little as first the employer's fields are to be worked and the worst fields are reserved for the *harwaha*. The *harwaha*'s wife has to look after the children by doing *banni*. The *harwaha* is employed for other work than at the employer's but in this case he has to give his wages to the employer. Near Mandla the *barsi* are engaged for Rs. 35 to Rs. 40. They receive half their pay in money the other half in kind. Usually one half of the pay is given at the beginning of the year of service without interest. If the other half of the pay is received at the beginning of the second half year of service interest may be charged at half anna per rupee per month or the *barsi* works for a few days more at the end of the year.

"Sometimes the employer gives a pair of shoes or some cloth. If employed with Hindus the *barsi* is not so well treated regarding interest, gifts of cloth and holidays as he is by aboriginal employers. The *barsi* system is not common near Mandla and in parts of the Niwas tahsil.

"I enquired through my schoolmasters in the area from Mandla Railway station to Ghagha, between Malpathar forest and the Narbada. The masters are all aboriginals, half of them from the area itself, and mix freely with the population, but no cases of *barsi* servants were reported, except of Prithwidas Panka who had been working with his *malguzar* for four years against a remuneration of Rs 40 per year. From this the *malguzar* was to reduce Rs 23 on account of rents of the fields of the Panka family. Prithwidas received nothing whatsoever in money, seeds or clothing and nothing was written off regarding the rent. Last year when the Panka became 21 years old he refused to work anymore. Now the *malguzar* tells the family that they will lose their fields unless they pay the rent. In this area the practice of borrowing money and seeds to be repaid by work is fairly common for small amounts. The loans vary from Re 1 to Rs 20. The masters say that work of six months in repayment of loans is exceptional. In Ghagha they come now to the schoolmaster to write down their contracts, formerly, and even now at most places, the agreement is oral.

"At Mohgaon, Asru Gond worked for 10 days for the one rupee he borrowed from a local Brahman cultivator. Dauli Gond of Mohgaon (30) took 2 *khandi* of *kodon* as loan from a Bania at Mandla. The price of *kodon* at that time was Rs 3 per *khandi*. After one year the debt became 3 *khandi*, after another year 4½ *khandi*. Dauli took in the meantime also some money from the Bania, but does not remember how much. He then started working at Rs 4 per mensem for the Bania, who informed him after five months that the debt was paid. In this area there is much work for wood-contractors, the Public Works Department, and in Mandla town. The number of *thalwa* is not high.

"I enquired also from schoolmasters at Dhanwahi, Piparia, Bijepur, Bargaon, Baronchi, all in Niwas tahsil. In Piparia, Dharmu Gond (30) took Rs 60 to buy himself a field. The loan was given by Mulya Teli of Barela, Jubbulpore District, where Dharmu worked for two years, for food and Rs 6 per mensem. Dharmu says that the Rs 6 were cut every month and the loan was considered paid back after these two years. He then took a loan from Mojilal Teli of Barela of Rs 35 and finished paying up in eight or nine months under the same conditions. Again he took a loan of Rs 10 from Parma Seth of Barela last year, and paid back Rs 4. The Seth now proposes that Dharmu should come and work for the Rs 6 left, he did not say how long. Dharmu has his father and young brother to work the fields, one cow and no bullocks. He says that he would gladly take another loan to buy bullocks, on the same conditions as the other loans.

A schoolmaster reported the following case from Subharia a malguzari village nine miles from Mandla on the Mandla Dithori road. Dhanu Gond took a loan of Rs. 50 from his Hindu malguzar more than two settlements ago in order to acquire some fields. There are papers in connection with the agreement. No interest was to be taken for the first two years and the money to be refunded in two years in two *qists* of Rs. 25 each. Dhanu paid the first year $7\frac{1}{2}$ *khandi* paddy which was valued at Rs. 25 and taken as the first *qist*. The second year nothing was paid. The third year Dhanu paid 6 *khandi* paddy and 3 *khandi masur* which was accepted as second *qist* of Rs. 25. But now Rs. 5 interest was charged on the second *qist* which interest Dhanu neglected till four years ago. Then Dhanu's son aged 12 years began working for the malguzar as *barsi* for Rs. 14 a year for one year. His pay was kept by the malguzar as payment towards the interest of Rs. 5 on the second *qist* and the interest accumulated thereon. In the same manner Dhanu's son worked a second year for Rs. 25 a third year for Rs. 30 and a fourth year for Rs. 32. Of the wages of this fourth year of service which ended in September 1940 Dhanu expected some payment for his son as he thought to have paid already enough. But the malguzar refused and also refuses to tear up the paper about the agreement. Dhanu is afraid that these papers will be used against him or his son later after he has paid Rs. 101.

Father van Heertum enquired in 19 villages of Shahpur revenue circle about the *Harwaha* and *Barsi* servants—

Serial No	Village	Harwaha	Barsi
1	Hanota	15	
2	Bicharpur	10	3
3	Palaria (Bharwal)	12	
4	Bharwal	6	4
5	Gopalpur	6	
6	Deokara T V		
7	Ramgura	3	
8	Parau	11	
9	Coira	4	
10	Barguon	2	
11	Nayagaon	1	1
12	Neosa	1	
13	Pondi (Neosa)	4	15
14	Kul	8	
15	S rastal	3	1
16	Murki (Dand Bilepu)	13	8
17	Deori (Dand B depu)	5	1
18	Mineri (Dand B depur)	9	
19	B depu (Dand)	1	1

Harwaha—The *harwaha* begins his service for the monsoon crop after the Holi festival and finishes in Bhadon. Thus he works for five or six months. His remuneration is his daily food at the house of the employer or if his caste forbids this 1 *kurava* (2½ seers) *London* which is reduced to 1½ seer when pounded. This is sufficient for himself for one day; the value in money is one anna. Further he is given to sow on the fields of the employer and with the

bullocks of the employer 12½ seers *kodon* or *kutli* ('*bozara* or seed-grain')

"This *bozara* may yield from 5 to 6 *khandi* (500—600 seers) in a good year on a good soil. Very often however the outturn is from 1 to 3 *khandi*, and not seldom $\frac{1}{2}$ *khandi*, or even 6 *kuro* (30 seers). It should be remembered that only half of this remains after pounding. The rice of *kodon* till two or three months after the harvest is usually 10 *kuro* (50 seer) per rupee in a normal year. Later in the year it rises to 8 *kuro* and in a bad year to 6 or 5 *kuro*. An average of 3 *khandi* outturn on the *gozara* and an average price of 8 *kuro* per rupee seems a fair estimate. On this average the *harwaha* receives in six months grain to the value of Rs. 7-8-0 (besides his food), or Rs. 1-4-0 per month besides his food. In 1939 many *harwaha* received only 10 *kuro*, worth Rs. 1-4-0 for six months. In 1940 the outturn of the *bozara* can be taken as nil. The employer will not allow the *harwaha* to sow his *bozara* on the best field, which is usually sown first. Some employers give their *harwaha* a blanket or *dhoti* or at least a *khumri* (farmer's umbrella), or a pair of shoes, but nothing else. If before the monsoon some other work presents itself, such as building, the *harwaha* must work as a coolie, but the employer puts the wages in his own pocket. When the Patners were building at Duhania and Dulhapur, some employers of *harwaha* came to work themselves for three or four months and sometimes made their *harwaha* also work at the building. The employers received all the money.

"The period of service for the post-monsoon crop begins in Kunwar or Bhadon and lasts till Kartik or Pus. This amounts to three months. The *harwaha* sows 12½ seers *bozara*, mostly wheat. It can yield from 2 to 2½ *khandi* in very favourable conditions, but the usual outturn is 1 or 1½ *khandi* and sometimes 10 *kuro* or less. The price of wheat in the interior is 4 *kuro* per rupee after a good crop. From August till the new harvest it rises to 3 or 2½ *kuro*. Taking an average price of 3 *kuro* and an average outturn of 1 *khandi*, a *harwaha*'s pay for three months is Rs. 6-10-6, or Rs. 2-3-3 per mensem, besides his food of one anna per day.

"Many a *harwaha* gets employment for one crop only, i.e., for six or three months. His wages are far from sufficient for his own maintenance and clothing for a whole year. The rest of the year he can find no work and has to live on roots and jungly vegetables, and take *baili* (loan of grain) on which he has to pay 50 per cent interest after the new harvest. Nearly all of them have a very small *bari*. Very few are sons of cultivators to whom the income of a son working could mean an additional income. Very few have a bullock they can hire out. The wife of a *harwaha* has to support herself and her children by doing *banni*, such as weeding and cutting of crops, for which she receives 3¼ seers *kodon*, which when pounded yields 1 7/8 seers. She is lucky if she can do 60 days *banni* per year, as besides the *harwaha* and their wives there are many others who have to live from *banni* only, in every village from 15 to 20 families.

"*Barst*—

Bicharpur 3 *barsi* servants

Hafiz Muslim employs —

- (1) Kariya Gond pay Rs 12 per year plus food
- (2) Dholi Agaria pay Rs 12 per year plus food
- (3) Nanhu, Panka pay Rs 12 per year plus food

The three have no fields and no debts

Palaria 2 *barsi* servants (*Bharwai*)

Dhokal, Gond malguzar employs —

- (1) Jitu Bhumia Baiga pay Rs 12 plus food and clothing
- (2) Jitu's wife pay Rs 6 plus food and clothing

Jitu took a loan of Rs 50 from his employer in 1939 in order to pay his wife's *kharcha*. This is the first year of service

Bharwai 4 *barsi* servants

Nanhi Kayasthin employs —

- (1) Lalju Bhumia Baiga pay Rs 12 plus food

Lalju took a loan of Rs 26 from her. He has served one year and has Rs 14 arrears to work for

Julur Gond Re 0-8-0 *pattidar* of Palaria employs —

- (2) Bachhu Bhumia Baiga pay Rs 12 plus food and some cloth
- (3) Bachhu's wife pay Rs 6 plus food and some cloth
- (4) Budhu Bhumia Baiga pay Rs 10 plus food

Pondi (Neosa) 15 *barsi* servants

Bajir Muslim contractor of the distillery (outstill) at Pondi employs 12 *barsi* servants 5 for the still and 7 on his farm —

- (1) A Brahman pay Rs 60
- (2) Girdhari Laman pay Rs 48
- (3) Ladhari Kol pay Rs 24
- (4) Bhagela Bhumia Baiga pay Rs 48
- (5) Molaya Bhumia Baiga pay Rs 24

Molaya took a loan of Rs 16 one year ago

The above are employed to work on the still

On the farm are —

- (6) Baisakhu Kol pay Rs 24 plus 5 *kuro dhan* *bowara*

He took his last loan of Rs 24 five years ago. The loan is still outstanding after five years of *barsi* service as he gets his pay in hand. No interest is charged on this loan but if he leaves his work he will have to pay the principal and Re 0-4-0 interest per rupee per year. If he takes loans again he has to pay interest for them (Re 0-4-0 a year per rupee)

- (7) Chamru Kol pay Rs 24 plus 1 *kuro dhan* *bowara*

He took his last loan of Rs 10 five years ago conditions as under no 6

Chamru worked for 10 years with Bajir

(8) Saunu, Kol, pay Rs 24 plus 1 *kuro dhan bowara*

Last loan of Rs 24 two or three years ago. Further, as under no 6, Saunu has worked for two or three years

(9) Bekaya, Bharia Baiga, pay Rs 24 plus 1 *kuro bowara*

He took his last loan of Rs 20 five years ago. Other conditions like no 6. Bekaya has worked for 20 years as a *barsi*

(10) Mohan, Bharia Baiga, pay Rs 24 plus 1 *kuro dhan bowara*

Four years ago Mohan took a loan of Rs 8. He has worked as a *barsi* for two years

(11) Bhakar, Bharia Baiga, pay Rs 24 plus 1 *kuro dhan bowara*

Five years ago he took his last loan of Rs 48. Other conditions as no 6. He has been a *barsi* for five years

(12) Bharra, Bharia Baiga, pay Rs 24 plus 1 *kuro dhan bowara*

He took his last loan of Rs 8 three years ago, other conditions same as no 6. He has worked as a *barsi* for two years

In the same village Bhadusingh, Gond, co-sharer malguzar of Pondi employs —

(13) Kondra, Kol, pay Rs 12 plus food

He has worked for two years

(14) Phangu, Bharia Baiga, pay Rs 24 plus food.

He has worked for two years

(15) Nanhen, Mahra, pay Rs 24 plus food.

He has worked for two years

Kui, 2 *barsi* servants

Nardhu, Ahir, *muqaddam*, employs. —

(1) Dallı, son of Lachman, Bhumia Baiga, took Rs 12 loan from Nardhu or his brother Pahılad seven years ago (1933). First Dallı tried to repay by serving as *harwaha* for three years. He then served three years as a *barsi* and is still serving. In 1939 Dallı wanted to leave service but Nardhu told him that he had to pay still Rs 16. He never took any new loans and never left his service. His wife does *banm* and supports herself by hunting for roots

(2) Phagu, son of Tumhia, Bhumia Baiga

Tumhia took a loan of Rs 20 from his employer for Phagu's wedding in June 1939 (or 1938). Phagu has to serve as a *barsi* for three years according to agreement, at the rate of Rs 10 per year and 1 year for interest. This is Phagu's second year. If nobody interferes Phagu is likely to serve for many years, as the Ahir family tries to enslave its servants. Ratnu, Bhumia Baiga (Dallı's brother) took Rs 20 loan from Nardhu 11 years ago (1929) and worked as Nardhu's *harwaha* for seven years (after working for five years before he took

the loan) For the last five consecutive years Ratnu repaid from Rs 10 to Rs 12 a year never less. He does not know how much in all he paid. He took no other loan. His arrears in January 1940 were Rs 4 which he refused to pay. Ratnu was not inclined to report this to the priest because it would not be possible for him to remain in the village if Nardhu came to know about it. Now Ratnu has five fields and two bullocks which he bought with a loan taken from the Catholic priest.

Langra son of Bhokhai Bhumia Baiga, at Tikripipri possesses occupancy rights over nine fields (three black soil five *bharra* one *bari*) at Kui which his father inherited from a relative who died in 1931. In order to get these fields in his name Bhokhai gave one bullock as *tika* to Noalsingh Lodhi then *malguzar* of Kui. Bhokhai died in 1938 and left the fields to Langra who lives at Tikripipri. Nardhu says that Bhokhai had taken a loan from him but the elders of the village do not know how much loan he took or even whether he took anything at all. Bhokhai left Kui many years ago. Nardhu and his brothers are said to have cultivated one black soil field belonging to Bhokhai or Langra for the last fifteen years. Three *barra* fields are lying fallow at present and the *bari* is cultivated in *adhya* by Akali Gond of Kui who has paid the rent regularly to Bhokhai or Langra. The rest of the fields are cultivated either by Nardhu himself or given by him in *adhya* to other Gond and Baiga (Phagu Baiga kin Dalsingh Gond of Ramgura). Bhokhai and Langra have never received any produce of those fields yet they have always had to pay the annual rent.

Girdhu son of Jitu Bhumia Baiga of Kui about 35 years old became a *barsi* servant of Nardhu when he was about 16 years old. He took a loan of Rs 20 in order to pay the bride-price of Kumharin daughter of Tumhia whom he married. It was agreed that Girdhu would serve Nardhu as a *barsi* for four years. In the third year after the marriage his wife left him and after having served for five full years the *barsi* agreement was returned by Nardhu. Besides this loan of Rs 20 Girdhu received his food but nothing else. For his second wife (Akl daughter of Huddha Sarastal) Girdhu took a new loan from Nardhu of Rs 2 cash and a male buffalo 2½ years old which was still much too young to work. According to witnesses the actual value was Rs 9 but Nardhu valued it at Rs 28 and Girdhu gave his thumb impression for Rs 30. When Girdhu took his second loan he had served Nardhu 11 years as a *barsi* and had kept his second wife already six years. Two years later (*i.e.* in the eighth year of his second marriage and the thirteenth year of his *barsi* service) Girdhu ran away with his wife and children but Nardhu brought him back soon and forced him to work again. However Nardhu promised then to pay Rs 12 per year which were to be deducted from the loan. Again Girdhu worked for three years. He got three children in the meantime. Besides his own food Girdhu received Re 1 *halshish* (*harazar*) per year but not each year. He worked 16 years as a *barsi* for Nardhu but besides his own

his food and leaves not a pie for repayment of interest and principal. Sometimes too if the master has no work in hand he dismisses the *barsudia* or rather does not pay him until the next working season. Occasionally loans for *khawar* are given always at further interest. Once a year the employer makes up the servant's account and tells him what he now owes but what with heavy interest, fresh food loans and unpaid workless days the Korku can never escape from the bond. A few years work under these conditions ties him to the employer for life and if he dies his son assumes the burden and works for his employer. No receipts are ever given. The Korku would never go to a court for relief from debt or bond service through fear of his master because of the court fees and because it would mean no more credit. The following actual examples are given —

(a) Dhangaon — This belongs to a Hindu *malguzar* and has 20 Korku out of 60 houses. Only four Korkus have a little tenancy land and only half of that is cultivated, the rest lying waste or having reverted to forest. 10 Korku families have migrated to Nimar. About 25 Korku are *barsudia* and have been working for their present employers for terms varying from five to 20 years. Gopia Korku who had five bullocks borrowed Rs. 100 some eight years ago from a Dhangaon Bania and has been working for him ever since and had to hand over his bullocks to him also in repayment. He does not know what he still owes.

(b) Richgaon, a village of some 200 houses, 13 miles from Dhangaon has only five Korku families, three have migrated to Nimar. Kasia Korku borrowed Rs. 50 from Hajar Patel and hopes to finish working for him and be discharged from the debt in 10 years. Chapu Korku borrowed Rs. 25 from Ramchand of Abgaon four years ago on a *kat* to work for him as *barsudia*. The *kat* is renewed every three years. He is told that he now owes more than Rs. 25 and has never been given any receipt for any repayment on the score of his work.

(c) Pichola has 40 Korku out of 250 houses, some 30 had temporarily migrated. Father Lercher learnt that several were *barsudia* but could not get into touch with any of them. 25 houses had no *bari*. A few Korku had lands recently given out in the adjacent ryotwari area but the soil was wretched and most of them therefore worked on wood-cutting in the Magardha Government Forest Range.

(d) Kachberi has 10 Korku houses which supply five *barsudia*. One of these has worked for his master for 10 years, and last year his son borrowed Rs. 60 from the master and also entered his service. When asked how long he would have to work he replied all his life.

255 In the Father's view such service is little better than slavery. It is of course not slavery in the sense of *dominium absolutum in homine* but the contract or agreement is so formulated that one person gets full control over the other's mental and physical potentialities which is semi-slavery and can as here be worse than slavery. The bad features of the arrangement are—

(a) The object or consideration of the contract is not precisely defined.

- (b) the wages are unjust;
- (c) the Korku must enter into such a contract unless he is prepared to remain unmarried, and
- (d) once he has entered into it he has put himself for ever at the mercy of his employer and can never free himself

He considers that more forest villages should be started and the Korku helped thus and in other ways to get land, that there should be a minimum wage of 4 annas per day for a man for *dharkı* or *barsudia* work, and that the *barsudia* system should be stopped altogether or controlled. This, however, can only be done if other sources of credit are made available. Education here is useless, the Deshi Korku is far too poverty-stricken and miserable to dream of it, and of him it should at this stage be held "*primum vivere, et deinde philosophare*". Father Lercher found not a single Korku in Harda Tahsil who had ever heard of Debt Conciliation Boards, though in Harsud some did make use of the Board, but the average aboriginal is afraid to approach anything that savours of a Court, being educationally, socially and economically backward, saddened by experience of the past and in deadly fear of his employer or moneylender. In Harsud Tahsil Father Lercher thinks that the Korku has been harmed by debt conciliation, because ever since it took place the moneylender has made the Korku sign for twice the amount he actually borrows and receives. No debt relief work or measure for reforming bond-service will succeed, in his view, unless an alternative source of credit be provided, unless the Boards or Courts are completely disinterested (and do not include moneylenders, like the old Boards), unless court-fees are waived on applications from aboriginal tribes and backward castes, unless the Boards or Courts tour freely and simply from village to village, and unless the aboriginal is adequately protected against threats and retaliation from the moneylender.

256 In a separate note on the less depressed Korku of the ryotwari villages in the Kalibhit area of Nimar (Harsud Tahsil) Father Lercher noted cases of far bigger loans owing to the higher bride-price there prevalent. He mentions a recent Korku who paid Rs 325 on his wedding, Rs 22 as bride-price, Rs 45 on grain for the ceremonial feast, and Rs 60 on grain to be given to his bride's parents. On the other hand cases of bond-service were not as frequent as among the Deshi Korku. The 5 main problems of the Kalibhit Korku in his view were lack of plough-cattle, even among men with large ryoti holdings, the excessive bride-price now in vogue, the lack of seed except at 50 per cent interest, the same excessive interest on grain borrowed for food, and heavy expenditure on *pūja*, e.g. for averting illness. The main need is obviously cheaper credit. Here the period of service in lieu of bride-price that has to be rendered by the *lamsena* is twelve years, far too long, but symptomatic of the high local bride-price, and Father Lercher urges that district officers in all the Korku country should endeavour to get hold of the tribal panchayats and persuade them to decree a general reduction of the scale of marriage expenses. The problem exists with

varying local intensity in all aboriginal India witness this translation of an Uraon (Oraon) marriage poem from page 127 of the Blue Grove by W. G. Archer* —

Sitting high or low son in law
The mother in law requires her present
The father in law will have the price of the milk
The grandmother asks for her *sari*
The brother of the bride desires his *dhoti*
The sister of the bride demands her gown

Here the price of the milk is the bride-price the recompense for the expenses that the family of the bride has incurred in feeding clothing and rearing her that is the aboriginal view of the matter. Often I have known an aboriginal look on his budding daughters as the source that will free him from his debts. Unless his debts can be scaled down there is little likelihood of his agreeing to the reduction of the bride-price. Here too is the key to his attitude to an elopement of his wife with another man: he must be recompensed for the compensation which as bride price he himself had to pay her parents in cash or by long labour as *lamsena* for her father. The period of *lamsena* service is in few parts of the province as long as 12 years even the more usual seven years is often cut down by the refusal of the son in law to work longer to five years or less and in the Melghat since the system of departmental working of the Government forests came in with its ample opportunities of good and regular earnings for the Korku the period has been further abbreviated as the *lamsena* can earn so much so sooner. Technically speaking service of a prospective father in law for the sake of his daughter's hand in marriage is a form of bond service but this should be expressly excepted from the scope of any bond service law so far as the transaction is purely between the suitor and the girl's parents just as disputes arising from *lamsena* agreements should always be left to the tribal panchayat and never be allowed to come before a civil court.

257 Let us now come to the replies to the questionnaire received from Mandla officials. The yearly cash payment of an aboriginal *barsia* farm servant varies from Rs. 15 for a youth to as much as Rs. 60 for a man the big difference according to Mr. Hyde between the employment of an aboriginal farm servant by a fellow aboriginal and by a non aboriginal is that the former will get service in his house and feed him and live with him so that he is almost one of the family. It is difficult to value the total remuneration of farm servants except when it is all in cash. If he is remunerated by share of the produce everything depends upon the outturn of the crops but Mr. Hyde considers that the total cash value of the annual remuneration of a servant whatever be the terms on which he is engaged seldom exceeds Rs. 60 or is less than Rs. 24 except when he is repaying a bond.

258 The contract entered into by aboriginal farm servants is in most cases oral but when documents are drawn up they frequently mention that service will be given in consideration for an advance or adjustment of a debt the former being more common and often no definite period of service is mentioned. Generally no interest is charged on the advance in the first year.

but thereafter the common rate of interest is 25 per cent though often it is as high as $37\frac{1}{2}$ per cent. The rate of interest on old cash debts varies from $12\frac{1}{2}$ to $37\frac{1}{2}$ per cent, on grain loans 50 per cent interest is generally charged. The bond usually contains no provision about holidays or illnesses, but for certain festivals half a day's holiday is generally given. The treatment in time of illness varies, a short illness of a day or two may be condoned, but for a longer period extra work is taken or proportionate repayment of the assumed wage demanded. (A common standard form of printed *naukarnama* of which I have seen specimens from Nagpur and Yeotmal Districts in identical terms, speaks of 8 annas a day fine for all days of absence.) In Mandla absence may be penalized by an extra three months' work at the end of the contract period. The ordinary local name in Mandla for the document is *barsi-chitthi*, *chitthi*, *rasid*, or "stamp".

259 The practice as to enforcement of bonds for service in case of default varies, but in Mandla generally speaking the method is threats and *zulum*. Often here as in the greater part of the province a panchayat is called which the employer knows well how to pack with persons under his thumb. Malguzars and moneylenders apply pressure by various ways. They sometimes employ bullies, often Muslim loafers and bad characters, Mr Hyde has heard of such men threatening to outrage the defaulter's womenfolk. A common method is to beat the defaulter with shoes and so get him outcasted, or, if he has any cattle, to impound them. Malguzars often get a man turned out of the village or institute false cases either civil or criminal against him. In Mandla District very few such civil suits are filed by employers on service-bonds, but the Mandla Sub-Judge has given details of five cases from 1937 to 1940. In most of these the period shown is only a year. Two bonds stated that the purpose of the service was repayment of the balance of old debts found due when accounts were drawn up, while the other three did not mention the purpose of the advance. One bond bound the defendant's son to serve for the plaintiff for six months, and the defendant pleaded that he had actually served for a full year, backing his assertion by taking a special oath offered by the plaintiff, in consequence of which the court dismissed the plaintiff's suit.

260 Service-bonds in Mandla are frequently entered into to secure the money necessary to pay for the bride-price of a wife or to repay interest charges on loans previously advanced for that purpose or for other ceremonial reasons or for the payment of a caste or court fine. The rate of interest on loans of this kind is usually about 25 per cent per annum. In Mandla District such loans are seldom as large as Rs 100, if it were so much, the opinion is that no debtor could manage to work it off in less than 10 years, the Naib-tahsildar of Dindori estimates 20 years, and the Naib-Tahsildar of Mandla a life-time. This may be compared with a reply given in Raipur District by a Gond *saoniya* of Lalpur. For his marriage seven years before the enquiry his father borrowed Rs 40 from a Teli cultivator on condition that father and son would work for him as *kamma* servants. They both worked for him for six years, when the father died. The Teli made up the accounts and informed him that he now owed Rs 50. As he disliked this, the Gond changed masters and borrowed Rs 50

from a Rawat cultivator to repay the Teli and became the Rawat's *saoniya*. When asked about his chances of getting free from this debt he replied *mat bhar la kamawo mar powo, to parlok men debo* (All my life I shall work as a *kamia* and if I die then I might pay the debt in the next world). Much depends, Mr Hyde points out on the employer. Often and often in Mandla (and in the other districts according to the replies) a man will be found who has entered into service for repayment of a loan and after several years service learnt from his employer that he owes more than the original loan for a small sum of Rs. 20 a man will be found serving for 20 or 30 years though of course he often gets small additional loans of a few rupees during the course of his service which are added to the principal.

261 The practice of advancing grain during the rainy season for *kharwa* is common and interest in Mandla is nearly always charged at 50 per cent. It is usually treated as a separate loan but may be added to the account of the original advance but often the transaction is purely oral and no regular accounts are kept. As this grain is borrowed when grain is dear at sowing time, and has to be repaid in kind at harvest when grain is cheap possibly on a cash basis it could be argued that the rate of interest is not as high as 50 per cent in Mandla however so much wage paying and other transactions are still conducted in kind that this argument would not be appreciated by anyone but the moneylender.

262 In Mandla many cases have been found in which the same family has remained in the service of the same family of employers for more than one generation. Mr Hyde came across cases in which such farm servants were paid yearly wages and seemed to be satisfied and other cases where a son was continuing service on an advance taken many years before by his father. The treatment of such servants varies considerably from employer to employer. In some of the more developed districts of the Maratha country hereditary aboriginal farm servants have now become almost members of the family but such long standing servants are generally serving from choice and from loyalty and not to repay a standing debt account. Of similar cases in Mandla District Mr Malaviya writes that the employers and the employed take pride in long standing service the servants get better treatment and several concessions and are treated with respect. They are bold in their talk with their masters get timely help on all occasions and when ill are not regarded as absent from duty while their wives and daughters work on daily wages or as maid servants in the family. The reverse of the picture is that the employers are always on the look out to see that they do not get more than their bare needs apart from an occasional present of a *dhola* at marriage or a cheap silver ornament for their wives and that the system is a complete damper on any aspirations for betterment.

263 Question 9 dealt with particular cases in the villages selected for enquiry. Here are some answers to part (a) of the question —

(a) *Dindori Tahsil*—Farm labourers have been found serving the same masters from 20 to 30 years and their fathers were also reported to have served the same families. *Kajra*

son of Jagna, Kol, has been a servant of Bhaiyalal, Brahmin, for the last 25 years. In 1920 he borrowed Rs 40 and again in 1923-24 he borrowed Rs 25 and executed a bond on May 25th 1923 for Rs 65. He stated that the accounts are never explained to him and he does not hope to repay the debt throughout his life and must continue to serve. His wife also throws cowdung for his master and is paid *bojha** and *garimuda*†. He gets his food plus 2½ *kuro* per *khandi* of produce. He is illiterate and is so much deceived by his master that he cannot accurately say the total produce of his master out of which he has to receive his share. The master showed the bond, which is not registered, and said that no accounts are kept as payments are "orally accounted for". Exactly similar were the cases of Bidani, Kol, Chirkhu, Kol, and Patela, Kol, who each serve Brahmin masters. Their bonds were also perused, and were all unregistered.

(b) *Nawas Tahsil*—Farm servants were found who had been in service for the last five to ten years continuously in the same employer's family. The debts originally incurred vary. Adhari, farm-servant of Sampatkumar Singh, had to pay Rs 32 to his master in 1927. He has worked as his *harwaha* since 1927 and the accounts show him as now owing Rs 326.—

Year	Interest Khawai			Value of share of master's crop	Balance
	(1)	(2)	(3)	(4)	(5)
		Rs a	Rs a	Rs a	Rs a
1927		32 0	0 8	0 8	6 0
1928		34 8	8 10	1 0	3 8
1929		52 10	13 2	1 0	10 0
	(includes Rs 12 as loan for marriage)				
1930		56 12	14 13	Nil	4 8
1931		67 7	16 8	Nil	6 0
1932		76 15	19 1	1 0	3 12
1933		93 4	23 0	Nil	3 4
1934		113 3	29 8	1 0	3 0
1935		139 8	34 15	0 4	2 6
1936		172 5	25 2	Nil	3 0
1937		194 5	35 0	10 12	1 8
1938		231 1	50 0	Nil	1 4
1939		280 12	50 0	1 0	2 12
1940		329 0			329 0

The entire produce, or rather its value, is cut from the amount due each year. The man gets nothing, as the produce is adjusted towards his payment. The *harwaha*'s share is 3 *kuro* out of every *khandi* of the produce of the fields, and it is that share the value of which is placed to his credit in his debt account. He gets no food from his employer, but must

**Bojha* is a bundle of two or three *kuro* of each grain produced in the master's fields.

†*Garimuda* is the poor thin grain that is separated from the strong grain and amounts to two or three *kuro* in each *khandi*.

depend for his maintenance on the earnings of his father brother or some other relative. If he takes food grain or *kharwa* from his employer, the latter debits its value against him in his debt account. This particular *harwaha* is a Kol. His case is typical of those where a farm servant can never free himself from his employer's bonds. In Shahpur there are many other cases of Kol servants employed by landlords on similar terms, with no prospect of ever regaining their freedom during their lifetime.

(c) Mr Malaviya quotes the following examples —

Churaman Kol has worked since the age of 18 for 46 years as farm servant to Churaman Tel of mauza Shahpura. He borrowed Rs. 20 for his own marriage at the age of 18 years. The contract was to serve for ten years. It was settled that he would be given three *kuro* grain per *khandi* of the harvested *rabi* crop and four *kuro* per *khandi* of the *kharif* crop with holidays on Ghulla Amawasya and Diwali and a half holiday also on Jawara day. Compensation for any other absence was to be deducted from his remuneration at the rate of 3 annas a day. There are eight *harwaha* working with him under the same master and the same conditions.

The remuneration of 3 *kuro* per *khandi* of the produce is divided among all the *harwaha* after deducting the wages of blacksmith, carpenter etc. but interest is charged on cash loans at 25 per cent and on grain advances at 50 per cent. The amount of Re. 0-4-0 for a pair of shoes is given but is also deducted with interest. No bond was executed. His thumb-mark is taken on the account book every year. He has practically got nothing from his service and has had to live on the earnings of his wife and children. He does not know how much debt is still due from him.

Ghansa Kol, a farm servant of Sundarlal at Shahpur is about 42 years old and has served his master for the last 25 years. He borrowed Rs. 25 for his marriage and executed a bond for the same as a farm servant till repayment. He was engaged on payment of 3 *kuro* per *khandi* of the produce of the land. No other perquisite is given to him. Any *kharwa* advance he has to repay with 50 per cent interest at the time of the harvest irrespective of the period when the grain was advanced. In fact he gets 6 *kuro* of grain a year in lieu of his labour. The accounts show a loan of Rs. 300 still outstanding against him.

Hirde Kol, aged 46 years, has worked as a farm servant to Parsram of Madiaras for the last 32 years. He took a loan of Rs. 30 at the time of his marriage. He was engaged on the same share system of 3 *kuro* per *khandi*. No other perquisite is given to him. If he is absent 5 *pais* per day or at the rate of Re. 0-2-6 per day, is deducted from his remuneration. He gets only two holidays, Ghulla Amawasya and Diwali. There is still Rs. 150 debt outstanding against him. As there were crop failures he could not earn enough to meet this debt which increased on account of 25 per cent interest. He also took periodic advances of grain on which

50 per cent interest was charged and repayments deducted from his remuneration. The same is the fate of Lapsu Kol, under the same master. He borrowed Rs 50 for his marriage and has served for the last 30 years. He still owes a debt of Rs 100.

"The father of Kunnu Kol borrowed Rs 10 from Sampat Kumar, *malguzar* of Shahpur, to give a feast to his tribe. Kunnu has served his master for 20 years since his father's death. He is not given anything except a *boja* at harvest-time. He got only two *kuro* last year. No *garimunda* (rejected grain) is given to him, but he gets one *kuro napa-bani* or measuring charges per *khandi*. There is still a loan of Rs 52 outstanding against him.

"Sarju Baiga, aged 57 years, has served Chhuraman Teli of Shahpura for the last 19 years. He borrowed Rs 10 for a caste feast. He has been paid nothing at all during his service. There is still a debt of Rs 80 outstanding against him.

"There are several such instances in which aboriginals have to work for their whole life on petty sums borrowed by them either for marriages or for caste feasts or for purchase of cloth, etc. It is striking that the Gond as a class will not work as *harwaha* except for their fellow-Gond, only in Mandla Tahsil have I found them working on cash remuneration. They are clever enough to insist on their payments at least for their maintenance. But Kol and Baiga are mostly working as pure slaves."

264 Other examples are quoted from Mandla Tahsil (mostly of Gond, despite Mr Malaviya's observations above) by Mr M G Wickey, Secretary of the Gond Sabha. Generally speaking the wives of farm-labourers work for their employers not on contract but as *bannihar* daily labourers. In some districts there is some compulsion on a wife to work as *bannihar* for no one but her husband's employer. The ages at which farm-labourers started bond-service in Mandla varied from 9 to 40, and many continue till death. In Mandla and other districts many cases are quoted in which the farm-labourers retain their own tenancy lands, cultivating them either through some members of their family or by giving them on *adhiya* to other aboriginals or even to their employers (in which case they have practically lost the land, as the Catholic priests' report shows). In some cases the employer simply appropriates the lands of his farm-servants. On the other hand we have seen the cases, reported by the Fathers, of hard-working thrifty Gond on the Jubbulpore border of Niwas Tahsil, close to Barela, who have secured tenancy lands by taking loans from Teli cultivators at Barela, saving enough to pay off the loans and then borrowing more to pay for bullocks and successfully working off the further loan also.

265 Practically no farm-labourers can read or write in Mandla District or in most districts, though the enquiries made in Chhindwara District show that nowadays there are several literate farm-labourers in Chhindwara Tahsil.

266 Space and time prevent me from going further into conditions in individual districts. Though the answers received from the Marathi districts show conditions are not as bad there as in the villages investigated in the Melghat and Morsi taluqs of Berar or the Satpura districts of the Central Provinces, yet the same evil recurs in more or less degree wherever there are aboriginals. Yeotmal can give examples and Nagpur could give many though they have not emerged from the villages actually investigated. Nevertheless where there are big cities or mines close at hand and greater educational facilities, the farm labourer sets a greater value on his service and there is greater competition to secure them. That he is still deceived even in Nagpur and Yeotmal may be seen from certain threatening clauses in the standard form of printed *naukarnama* already mentioned as in vogue in both districts here the servant undertakes to suffer whatever punishment responsible Government officers may impose if he breaks the agreement. There is no law under which any such punishment could be inflicted.

267 Not many cases into courts to judge from the answers to question 15 of the questionnaire* reproduced in the last chapter. Almost all the judges who have dealt with suits to enforce service bonds consider legislation necessary. Mr R S Dube Sub-Judge stated that he had dealt with many such cases when stationed at Burhanpur in Nimar where the employers habit was to advance a loan on a service bond on condition of damages at a heavy rate for every day on which the servant absent ed himself from work so that there was no reasonable chance of repayment by servants and the contract was certainly unconscionable and against public policy. He noted that the purpose for which the advance was given was never stated in the bonds but only the amount advanced. This is generally the case elsewhere but examples have been given from various districts of bonds entered into for payment of arrears of rent of tenancy holdings or for working off old debts. The courts do frequently tone down the effect of these service bonds though they seldom dismiss the suits outright on the ground that they are entirely contrary to public policy or unconscionable. An example of a judgment passed in a suit for recovery of damages for non service at the rate of eight annas a day on a bond to serve from September 29th 1939 to July 19th 1940 at Rs. 10 a month wages in return for an advance of Rs. 10 (the claim was for Rs. 10 advance and Rs. 20 damages) stated that the defendant admitted the agreement but the court regarded it as unconscionable and therefore treated the Rs. 10 advance as a simple loan allowed interest at 10 per cent per annum and decreed Rs. 10-12-0. A Sub-Judge who had had considerable experience of such cases in Raipur and Bilaspur observed that the terms of the usual contract reduce the labourer to slavery as the remuneration is barely enough to keep body and soul together. The general practice in Chhattisgarh is to appropriate the cash part of a bond servant's wages towards his debt and to pay in advance every week the minimum quantity of grain needed to give the labourer his food so prevent even then the agreement being worked off within a year or so the employers deceive the labourers by making false

entries in their attendance registers or false accounts of the interest due from them. He could not remember having totally dismissed any suit as unconscionable but said that the civil courts generally tried to liberalise matters by reducing the rates of interest claimed. The labourers themselves of course are partly responsible for this hard treatment, as they often absent themselves without warning and seriously handicap their masters' work; the difficulties of subsequent litigation lead the creditors to be as exacting as possible so as to cover the cost of such litigation. Another Sub-Judge pointed out that such contracts play havoc with debtors, as nothing can prevent a shrewd malguzar or moneylender making false entries of the items of service rendered and the money advanced during the service period, in his view the law should throw the burden of proof in all litigation in support of his claims upon the creditor.

268. Question 11 in the questionnaire in Appendix G deals with remedies. The answer to the first question, whether the present system of employment of aboriginals and members of menial castes as farm-servants was a form of bond-slavery or serfage, produced about eight affirmative answers in every 10, but very little attention was paid to this questionnaire by non-officials. The system is one that has grown gradually, and many people before this enquiry had never stopped to think about its implications. So far as the educated public has any views on the subject, they could probably be summed up by the words *laissez faire*. Mr Hyde's answer to part (a) of the question draws the right conclusion and summarises the average public attitude—

“Legally speaking the word slavery is not applicable as the contracts are entered into voluntarily, and there is always the theoretical prospect of release. In actual practice, however, it is a form of bond-slavery or serfage where the master is bad or unscrupulous. As has been shown by many examples in this district, the indebtedness of a bond-service to his master may continue to grow like a snow-ball, and this indebtedness will be passed to his sons. Of course they can run away, but it is not easy. Public opinion apparently sees nothing monstrous about these transactions. Except for a few officials, the educated and superior inhabitants of the district generally consider the aboriginals as “fair game” and have few or no scruples in their dealings with them. Their attitude may be summed up in the words of a pleader appearing in my court for an aboriginal appellant, ‘Gonds are like beasts’. Therefore although in law the bond-servants have all kinds of rights, in fact their position is in vast numbers of cases that of a serf, and the law which should be their protection is actually one of the most potent instruments in their oppression. Other factors besides public opinion which work to the disadvantage of the bond-servant are the aboriginal's gullibility with regard to accounts and his amazing honesty in accepting them and working them off. I might state that this and most of my criticisms apply to the question of aboriginal servants engaged by a non-aboriginal. Gonds generally treat their farm-servants much better, and although they do not give high remuneration they are not

generally oppressive employers and they treat the servant as one of their own family usually keeping him in their house and feeding him there

An interesting fact brought out in this enquiry is that a bond servant who takes temporary employment on daily wages pays over the whole of his cash remuneration to his employer. An actual example of this in Mandla itself was the building of a house for Father Van Dorst he found from enquiry that some of the labourers engaged on the house were handing their whole wages over to their permanent masters. The enquiry has also shown that bond service is much more wide-spread than it was formerly thought to be. Facts are discovered slowly and with great difficulty and even now much remains hidden

269 If the system were totally stopped at the moment the majority of the opinions consider that the result would be chaotic as the aboriginal would at once lose whatever credit he now has while the agriculture of the ordinary district would be completely dislocated the latter fear has been expressed especially by the few employers who have answered the question Mr Hyde as Administrator of Bastar has had experience of administration of measures to stop the corresponding system there but does not think that prohibition of the system would have a bad effect especially if the prohibition were made applicable only to non aboriginal employers. The fact is he points out that malguzars and big cultivators have to have farm servants and labourers have to find employment. His chief doubt is whether prohibition would have a good or a bad effect. The aboriginal frequently needs advances and certainly always asks for them and often seems to prefer employment on the most harsh terms in return for an initial advance to employment on fairer terms without an advance. It is almost impossible to prohibit mutual arrangements like this between an employer and labourer though the arrangement could be made unenforceable in a court of law. If abolition could be accomplished it would of course restrict the credit of the aboriginal who has nothing to pledge but his services. There is of course Mr Hyde remarks much to be said for restricting credit amongst the poorer classes in India for when they get it they have to pay so terrible a price for it as shown by any enquiry into bond service or into the transactions of rural moneylenders. Several experienced officers consider that there should be a total prohibition of the advance of money on the security of services and as we have seen Mr Symington recommends this in his Bombay Report. The view is expressed that once the prohibition had become effective all labourers would be employed on daily wages which in time would rise, once the power of the unscrupulous employer to exploit the backward classes and secure a lifetime service on a miserable pittance were removed. I think however that the balance of wisdom lies with the view that it is better to regulate than to abolish. A large special staff would be needed to make abolition effective the break with the past would be sudden and violent and understood neither by the employer nor the labourer, and it is difficult to see how the aboriginal would finance his marriages or meet his other financial obligations.

270 As to the form of legislation, there is general agreement with the suggestion that section 2 (vii) (g) of the Central Provinces Moneylenders Act should be repealed or amended so as to bring advances to aboriginal and other agricultural labourers within the scope of that Act and provide for annual statements of account, this matter has already been dealt with in the previous chapter in paragraphs 229 and 233. The suggestion that the annual accounts of each labourer should be made up by the employer-creditor in the presence of the debtor and two attesting witnesses is regarded as of little use because of the ignorance and illiteracy of the bond-servant and the ease with which the employer could deceive him as to the entries in the account and produce witnesses prepared to swear to whatever the employer wanted them to say. It might however be possible to provide for every farm-labourer a kind of *rasid bahu* analogous to that prescribed for tenants in the Central Provinces in which all details of the remuneration paid and repayments of debt should be made, these *rasid bahu* to be in the possession of the labourer and to be produced when called for by revenue, police, forest or land records officers. It is also generally agreed that the law should regulate bonds by fixing the maximum advance, and there is much agreement with the idea of a presumed minimum wage, to be divided into an actual wage in cash or kind and a monthly credit towards the repayment of the advance. As to the maximum period of service on the expiry of which the advance and any further advance taken should automatically be discharged, the three years suggested in the questionnaire meets with general approval. Lastly it is agreed that if any effective relief is to be given and if the legislation is to be enforced, labourers must be able to get summary remedy against harsh and illegal service-bonds from the nearest revenue court and not through the expensive process of a civil suit, and that revenue officers should be empowered to act *suo motu* without waiting for complaints. Mr Hyde considers rightly that all interest on advances covered by service-bonds should be abolished. He points out that the fixing of a maximum advance is not really as important as fixing a time limit and a minimum wage, for if a maximum period of service is fixed under the Act, the amount of the advance will adjust itself as there will be no possible carry-over beyond that period.

271 All things considered, the most suitable model for legislation seems to be the recent Madras Agency Debt Bondage Abolition Regulation, 1940 (Madras Regulation III of 1940), which has been applied to the Partially Excluded Areas of Madras. I quote below the Press Communique issued in the *Fort St George Gazette* of the 23rd July 1940 in explanation of this measure —

“A system of debt bondage called ‘*gothi*’ is practised in certain parts of the partially excluded areas in the districts of Vizagapatam and East Godavari in the Province of Madras. Under this system a labourer contracts debts which he agrees to repay by working for the creditor. The debts accumulate and are not entirely repaid so that the debtor will ordinarily be in bondage to his creditor for life. In some cases the bondage extends to the debtor’s children. The Madras

be of doubtful value and future efforts would have to be made on indirect rather than direct lines the chief obstacle to reform lay in the *kamia*'s mentality and it was felt that it might be possible to remove his fears by giving him secure rights in his homestead land (i.e. his *barrī*). Schemes were also considered for establishing an agricultural colony and an industrial training school for former *kamia* labourers. These latter schemes were frustrated by the refusal of the *kamia* to settle in the proposed colony in connection with which the industrial institute was to be run and the following extract from a recent (1941) Bihar Government file on the subject shows the present position —

"The Provincial Government continue to examine methods which will encourage the *kamias* to become settled agriculturists and which will disarm their conservatism and their suspicion of new ways of life. Attempts are being made by the Deputy Commissioner of Palamau to find lands in Khasmahal or in the Wards and Encumbered Estates suitable for settlement with the *kamias* and for cultivation.

In this year's budget a special provision of Rs. 900 has been made for the settlement of selected lands in forest areas with *kamia* families. The scheme is under the direct supervision of the Forest Department and Deputy Commissioner of Palamau. The object of the scheme is to re-afforest lands adjoining existing forests which were formerly covered with forest but were later subjected to harmful cutting. It is proposed that the *kamia* families will in their respective allotments plant the trees required by the Forest Department and look after their growth. For this service they will be permitted to sow crops on that part of the lands which will not be needed for afforestation. The funds provided will be used to supply the *kamias* with farm stock and implements. It is hoped that the experiment will encourage the desire among the *kamias* for a more independent life and if it succeeds similar experiments will be made in other forest areas.

The late Ministry proposed to introduce a Bill to afford protection to landless labourers whose dwellings or huts do not form part of an agricultural holding and who are therefore liable to be evicted at the will of the owner of the land but the question has been in suspense since the resignation of the Ministry. This Government are in sympathy with the proposal to give this protection to *kamias* and to the landless labourers and artisans in general but they consider that a controversial measure of this character should await the restoration of the normal constitutional machinery and they are of opinion that the problem of the *kamia* should be dealt with in isolation.

It may be added that the Bihar experience was fully considered before the Madras Resolution was drafted. It may be doubted whether there will be many *kamia* bond servants put out of work by the proposed legislation in this province but efforts should certainly be made to reserve for them vacant ryotwari lands and where possible to excise for settlement by landless labourers any forest lands which would be more profitable under cultivation than under forest. Bihar as we have seen thinks that further

legislation there should await the restoration of the normal constitutional machinery and should not be taken under a section 93 regime. In my view the matter is urgent and a section 93 Act would have the advantage of being a useful full-scale experiment for a final measure to be passed when the constitution is again working normally. A Regulation made for the Partially Excluded Areas would give relief in some of the districts where it is most needed, but would not affect the open country of Chhattisgarh or any part of Nimar and Hoshangabad Districts, Morsi Taluq, Yeotmal District or the *khalsa* of Chhindwara District. I should prefer therefore a section 93 Act to take effect by notification in any areas that are not Partially Excluded, and a Regulation in the same terms under section 92 (3) of the Government of India Act for Partially Excluded Areas for the reasons already given in paragraph 227 of the previous chapter.

274 In the investigation of this subject papers have been obtained from the Resident of the Eastern States regarding the *kabadi* system in Bastar State and from the Government of Hyderabad regarding the measures taken to stop the same evil by the recent Bhagela Act. On the whole I believe that the Madras Regulation will be the best model.

275 A member of the Servants of India Society, Mr. Dinkar Desai, is conducting an investigation into bond-service in India. I recommend that he should in due course be allowed to see the replies received from various districts in this province, as these will considerably assist him in his useful work.

PART III

NATION-BUILDING OTHER THAN EDUCATION

“ I ventured to say a short time ago that the health of the people was the most important subject for a statesman. It is a large subject. It has many branches. It involves the state of the dwellings of the people, the moral consequences of which are not less considerable than the physical. It involves their enjoyment of some of the chief elements of nature—air, light and water. It involves the regulation of their industry, the inspection of their toil. It involves the purity of their provisions, and it touches upon all the means by which you may wean them from habits of excess and brutality Well, it may be the policy of sewerage to a Liberal Member of Parliament. But to one of the labouring multitude of England, who has found fever always to be one of the inmates of his household—who has, year after year, seen stricken down the children of his loins on whose sympathy and support he has looked with hope and confidence, it is not a policy of sewerage but a question of life and death ”

DISRAELI (*Speech defending the policy of the Public Health Bill, 1876*)

CHAPTER IX—WORK OF THE AGRICULTURE, VETERINARY, CO-OPERATIVE AND INDUSTRIES DEPARTMENTS IN ABORIGINAL AREAS

[Terms of reference (m)]

A.—Agriculture

276 Prevention of land alienation, relief from debt and protection for the exploiter are essential but only a part of what is necessary. The population grows and the once virgin soils of the uplands not only no longer yield the crops that they yielded when first broken from waste, but also, though each acre has to support more mouths, cannot yield what they did even after they had lost their virginity but could still be recuperated by the long resting fallows made possible by the size of the holdings of sixty years ago. Forsyth in *The Highlands of Central India* describes how, as cotton usurped more and more of the land in the Nagpur and Berar plains formerly devoted to food-grains, land in the plateau districts became more valuable, at the time when in most of the provinces the great Government reserves were being demarcated and shifting cultivation was first being stopped, in the beginning by restriction to selected areas which grew constantly smaller. His picture is first of aborigines carrying on their primitive *bewar* or *dahya* cultivation —

“The labour of their peculiar system of cultivation, though severe, is of a fitful character, a few weeks of great toil being succeeded by an interval of idleness, broken only by aimless wanderings in the jungle of hunting expeditions. Periods of rude plenty, when the rains have been propitious to the crops, the hunt successful and the crop of Mhowa abundant have been succeeded by times of scarcity or even of want”

This naturally led to no thought of thrift, the necessity of periodically shifting their clearings and village sites in his view created a want of local attachment and an unsteadiness of occupation and temperament. Rather a superficial view this seems to me, in the light of my study of the economics of Hill Maria *bewar* or *penda-cutting* clans, as originally each clan, and within each clan each village had its own traditional village and cultivation sites, as they still have in the few parts of the Central Provinces where *bewar* is still allowed and is not ultra-regulated and ultra-restricted by forest and revenue officers. In these long intervals of what Forsyth viewed as aimless wanderings—actually of ritual hunts, gathering of roots and fruits, selection of the next year's clearings, fishing, trapping and honey-taking—he complained of the Gond being debauched into drunkenness by Kalar distiller-moneylenders who monopolised for long all the trade in timber and minor forest-produce and paid the Gond and Korku in strong liquor. Before this where the aboriginal had worked as a farm-servant in the plains or in loan-partnership with a Hindu *malguzar* or “agricultural moneylender” he had at least been

GOND HARVESTERS PATAN TAHSIL JUBBULPORE



FIG 11 Gond reapers camp



FIG 12 Bringing in the harve

CHAPTER IX⁹—WORK OF THE AGRICULTURE, VETERINARY, CO-OPERATIVE AND INDUSTRIES DEPARTMENTS IN ABORIGINAL AREAS

[Terms of reference (*m*)]

A.—Agriculture

276 Prevention of land alienation, relief from debt and protection for the exploiter are essential but only a part of what is necessary. The population grows and the once virgin soils of the uplands not only no longer yield the crops that they yielded when first broken from waste, but also, though each acre has to support more mouths, cannot yield what they did even after they had lost their virginity but could still be recuperated by the long resting fallows made possible by the size of the holdings of sixty years ago. Forsyth in *The Highlands of Central India* describes how, as cotton usurped more and more of the land in the Nagpur and Berar plains formerly devoted to food-grains, land in the plateau districts became more valuable, at the time when in most of the provinces the great Government reserves were being demarcated and shifting cultivation was first being stopped, in the beginning by restriction to selected areas which grew constantly smaller. His picture is first of aboriginals carrying on their primitive *bewar* or *dahya* cultivation —

“The labour of their peculiar system of cultivation, though severe, is of a fitful character, a few weeks of great toil being succeeded by an interval of idleness, broken only by aimless wanderings in the jungle of hunting expeditions. Periods of rude plenty, when the rains have been propitious to the crops, the hunt successful and the crop of Mhowa abundant, have been succeeded by times of scarcity or even of want.”

This naturally led to no thought of thrift, the necessity of periodically shifting their clearings and village sites in his view created a want of local attachment and an unsteadiness of occupation and temperament. Rather a superficial view this seems to me, in the light of my study of the economics of Hill Maria *bewar* or *penda-cutting* clans, as originally each clan, and within each clan each village had its own traditional village and cultivation sites, as they still have in the few parts of the Central Provinces where *bewar* is still allowed and is not ultra-regulated and ultra-restricted by forest and revenue officers. In these long intervals of what Forsyth viewed as aimless wanderings—actually of ritual hunts, gathering of roots and fruits, selection of the next year's clearings, fishing, trapping and honey-taking—he complained of the Gond being debauched into drunkenness by Kalar distiller-moneylenders who monopolised for long all the trade in timber and minor forest-produce and paid the Gond and Korku in strong liquor. Before this where the aboriginal had worked as a farm-servant in the plains or in loan-partnership with a Hindu *malguzar* or “agricultural moneylender” he had at least been

paid wages in wholesome grain or hard coin now the universal practice was—

to pay him in *liquor* all except the pittance necessary to keep body and soul together in the way of food and raiment. Often the Kalar united the *three* trades making the Gond cultivate an autumn crop of grain for his own subsistence and the trader's profit at a season when forest operations were impossible exchanging his surplus grain for liquor immediately after until he had him deep in his books again and then sending him out to the forests to cut wood to repay him and to purchase back some of his own grain for subsistence.

Even then he notes how in the extension of cultivation in the province everywhere the aboriginal was the pioneer of the more settled races in their advance against the wilderness. His capacity for toil that would break the heart of a Hindu his endurance of malaria and his fearlessness of the jungle qualify him for this function and his thriftlessness and hatred of being long settled in a locality as certainly ensure the fruits of his labour reverting as a permanency to the settled races of the plains. The process according to Forsyth was this. In the forest fringe lands of Hindu landlords and Gond chiefs there were large areas of un cleared cultivable land and the aboriginals who floated about such lands in large numbers as wood-cutters and casual labourers could always be induced to break it up. Having no capital and no security they were financed by the landlord either directly or standing as surety for a loan from the village *sahukar* with money to buy a plough and a pair of bullocks never at less annual interest than 24 per cent and also were lent seed grain and enough food to last till harvest when double the quantity had to be repaid. The process was a kind of partnership between the aboriginal and the financier the aboriginal's contribution being his personal labour and supervision. The control of the Kalar by the introduction of a sound excise system saved the aboriginal in many areas from continual drunkenness and the passing of his earnings into the pockets of his Kalar exploiters. (Can we now carry through a similar process and save him from the thralldom to the ordinary moneylender and the Hindu settler who has ousted him from the lands which his great grandfather cleared?) Forsyth describes the improvement in their character and thriftiness many on savings from their wages as farm servants or as railway navvies settled down to cultivation on their own account. He instances two Korku in Nimar District who in 1867 cleared 30 acres of light land and sowed it with *tilli*. They borrowed Rs 80 to buy bullocks and implements and two *man* (1920 lb) *juari* to eat. They harvested 6150 lb of *tilli* seed and sold it for Rs 215 from which they repaid the cash loan with Rs 20 interest and double the grain loan the quantity delivered being worth Rs 80 leaving them with Rs 35 in hand and a stocked farm free of debt after a single season. As a comment on this, I quote an observation made by Mr C F Waterfall CSI CII ICS on page 17 of his 1925 Raipur and Deog Zamindari Settlement Report —

Tilli is another minor rains crop which is undoubtedly losing ground though it was booming at last settlement. It is not important in the eastern tract where cultivators seek

to explain the falling off as due to a succession of poor crops. The real reason is that less waste is being broken up every year, and *tilli* only flourishes in land which has just come under the plough."

277 Settlement reports are full of accounts of the spread and methods of cultivation among the aboriginals. It was not all merely shifting cultivation or pioneer breaking of land from waste. Take the following account in Lucie-Smith's 1869 Chanda Settlement Report of the skill of the Maria in constructing dams for flooding rice lands which they ploughed whenever they possessed the means —

"In *gattas* the land above the dam is cultivated. To construct a *gatta*, a miniature valley with gently sloping sides, through which a stream flows, is chosen. The space between the banks of the stream is built up in the hot weather with trunks of trees, having their thinner end towards the point from which the current flows, and across these are fixed smaller logs and brushwood. The upstream face has thus a gentle slope to the front, while the rear face is almost perpendicular, and is sometimes strengthened by vertical stakes. The barricade is carried from four to eight feet above the level of the banks, and is then heaped with earth. As soon as the first rains have softened the ground, sods, about fifteen inches long by twelve broad and five thick, are dug with a heavy teak implement called a *katwa*, and with the sods wing embankments are built. These are run out in continuation of, and level with the log barricade, until the rise of the valley sides reduces their height to about a foot, when they are sloped off to the front and flanks; and pipes of *mohwa*, *en* or *gougool* are put through. Similar *gattas* are constructed at convenient distances at other points of the stream, and if the situation be favourable twenty of these *gattas* may be seen spanning the valley in regular series. Surplus water passes round the flanks of the *gatta*, and sometimes in floods the stream tops the dam and cascades over. Rice is planted in the wet ground above the dam, and where there is a succession of *gattas*, water, if required, is passed from a higher to a lower level through the wooden pipes in the embankment. Some of the *gattas* rise to twenty feet above the stream bed, and are very substantial structures, flooding large areas."

This traditional skill persists, compare this account from Rao Bahadur D. Lakshmanswamy's 1922—24 Sironcha and Garchiroli Settlement Report, paragraph 31 —

"Agriculture in parts of these zamindaris is as thorough as in the most advanced *khalsa* tracts. One has simply to look at the extensive rice fields and *gattas* of the Madias to admire the almost mathematical levelling of their fields embankments. The Madia Gond has a genius for rice cultivation. He selects the best *zilan* position area and with an intuition for irrigation lays out his fields one below the other so as to utilize water from the field above to that lower down. A natural stream or spring of water is generally never allowed to go waste by him. He so embanks and diverts the supply

by a system of well arranged water-channels as to utilize the whole supply for his rice area, however distant it may be. Even in the remotest part of the zamindaris agriculture has now developed beyond the domestic stage and assumed the commercial stage. The aboriginals constituting the greater part of these zamindaris mostly live on the early rice, small millets and beans while the heavy rice grown in the big *gattas* and embanked areas is exported to the markets.

278 In December 1940 I saw some works of this kind recently constructed by Maria cultivators between Bhamragarh and Lahiri and I have illustrated a typical Maria dam at Tonda wada in Bastar State opposite page 146 of *The Maria Gonds of Bastar*. Of Maria *parha penda* or *podu* and other varieties of shifting cultivation there is a full account in that book* which holds good for the Hill Maria villages of Chanda District also, where it has been described in Mr. Kerawala's recent report. I walked at and near Kuvakodi through old and rapidly recuperating clearings and the as yet not fully harvested clearings of 1940. The yield had been extraordinarily heavy but the labour that had gone to clearing, burning, raking the ashes, sowing, fencing and watching had also been immense. Of this system Lucie-Smith wrote in his 1869 Report paragraph 232 —

For the vast wilderness east of the Wyngunga it is the very best that could be devised. By it year by year, more and more land is cleared of forest and made ready for the plough, and thus every Maria village has around it a very much larger area of open ground than would be the case if the plough only were used. No one who has passed through these great wastes shut in by lofty trees and dense masses of bamboo and seeing sometimes for days not a trace of human habitation can fail to rejoice at the work fire and axe are doing. It is of course important to prevent the destruction of forest containing valuable timber and to arrange for reserves of jungle wood, grass and bamboos near the cultivated tracts but this done *dhyah* culture should be encouraged. It would be idle to speculate upon the changes in temperature and in rain fall the clearance of the forests would entail for even if the population increase to its full and coal mines, railways and river navigation bring all the prosperity we hope they will yet in all human probability the youngest teak seedling now springing into life will have grown old and withered to dust before the eastern wilderness shall have sensibly decreased.

That last prophecy looks like fulfilment. Stand on the summit of Surjagarh hill in the centre of Ahiri Zamindari and still where ever you look north, south, east and west all Sironcha and Garchiroli Tahsils and the Ahushmar Hills of Bastar to the north are one vast forest with only here and there small yellow patches indicating village sites and cultivation. Yet there is now this difference. Suddenly, without warning and so far as can be seen without any order from Government, this *podu* cultivation was stopped in Ahiri and the Garchiroli zamindari shortly after the 1922-23 settlement. The settlement report merely says that

the *sirai* income under the heads *jalapod* or shifting cultivation and iron smelting was omitted from assessment under standing orders, this income being ignored so that in case it damaged the forests Government interference might be justified the income from iron-smelting was waived because the small output was worked by primitive methods and confined to the manufacture of agricultural implements, moreover the property in all minerals belonged to Government and not to the zamindars (actually the charge levied by the zamindars was not for the iron ore, but for the charcoal used for smelting) Up to the last settlement *jalapod* or *podu* was going on in every Garchiroli zamindari except Gewardha, but the total area was said to be only 993 acres, the Settlement Officer reported that it was never allowed in big tree forests with good class timber, but only in areas where the jungle was sparse and the timber had no market value, the area was cropped for two years and then abandoned and after ten years again produced a smaller forest growth worth burning for cultivation The rent on each clearing was recovered in grain and not in cash, the amount per *ra* varying from 3 *kuro* in Kotgal to 10 *kuro* in Rang Zamindari In the first year in level country the crop sown was always light rice, and in the second *kodon*, *kuthi* or similar small millets, the rent charged in the second year was always less than in the first Rao Bahadur Lakshmanaswamy commented that it was the privilege of carrying on this shifting cultivation that contributed indirectly to settled occupation and its expansion, and suggested that its withdrawal would probably unsettle the present occupants, a prophecy that has been fulfilled in the areas bordering on Bastar, the relatives of the minor zamindar of Ihrapapra complained bitterly to me in my tour that owing to the prevention of *jalapod** many Maria families had migrated over the border into Bastar State where there is no prohibition The Rao Bahadur advocated no interference under present conditions with *jalapod*, the area was trifling and the forest valueless, the privilege added to the contentment of the Maria, and the zamindars, in view of the increasing value of their forests since the advent of the railway and better communications, were sufficiently restricting the area of *jalapod* and charging higher rates in the areas nearer the *khalsa* and the railway than in the remote zamindaris His advocacy failed, for soon afterwards some Deputy Commissioner stopped *jalapod*, though in 1930 his successor could not trace any actual order to this effect Several zamindars, however, complained to me that in the past they had been fined for allowing *jalapod*, and in a representation made to me at Murumgaon on January 1st 1941, they were all perturbed over their frequent fining by the Deputy Commissioner under section 202, Land

**Podu* is strictly speaking *dahya*, a level piece of land covered with forest growth is selected, the jungle cut down completely in January or February and the wood left to dry In May it is burnt but there is no ploughing After a few showers light rice, *kodon*, *kuthi*, *sawar*, *mandia*, *bajra* and *popat* are sown and broadcast *Jala* or *khamori* is practised on low-lying plots where water naturally collects in the rains These plots have generally no forest growth but grass and wood from the adjacent forests are cut and when dry spread over the plot and burnt in May There is no ploughing Rice is the only crop sown and is broadcast at the beginning of the rains Clearly there should be no restriction at all of *jala*, the adjacent forests are commercially worthless and the lopping of undergrowth and boughs does no harm

Revenue Act for alleged cutting without permission of high tree forest when their ryots broke up new lands for cultivation they then invariably burn the cleared forest growth and raise the first crop in the ashes by the traditional method. The zamindars said that there had been no justification for stopping *jalapod* and that if it were confined to worthless miscellaneous forest from which they at present derived no income it would bring in something to them and above all would save the ryots from the effects of such rice failures as those of 1939 and 1940. Actually in 1939 the Maria rather than face further rice failures started cutting *podu* (also known as *sampod* in the east of Garchiroli) in that tahsil and the adjacent Partially Excluded Zamindaris of Drug where this attitude is said to have been stimulated by emissaries of Sarjuprasad, the leader of the agrarian agitation in Dondi Lohara. In Ahiri Zamindari hill slope cultivation (*penda*) continues unchecked in the Kuvakodi tract and some adjacent villages on the borders of the hills around Lahiri. In 1917 Mr W E Ley C I E when Deputy Commissioner inaugurated an active policy of discouraging *bewar* and encouraging plough cultivation. He decided to allow no *bewar* outside village areas to make the headman of each village responsible for reporting the name of each *bewar*-cultivator and the area (as measured by bamboos) cut and sown by him and to charge the same rent rate as for plough land. Any failure to report any cultivation contravening the orders was to be punished in the first place by a heavy penal rent and if repeated by total prohibition of all *bewar* in the village at fault. The Maria it was said were so apprehensive of complete prohibition of *bewar* that the punishment of forbidding such cultivation in a village would have a great effect and probably the mere threat would be enough. This drastic restriction was to be introduced into all the villages except in the country east of the Parlakota or Kothari river i.e., except in the mountainous country of the Hill Maria projecting like a promontory into Bastar and without any valuable teak, there the restriction was not to be enforced for the present (and has not been enforced to the present day). The proposals were explained to several hundred *gaita* or village headmen assembled at Ahiri at the end of Mr Ley's tour and they are said to have admitted the justice of the system and promised to help to work it. Since then however *jalapod* has practically been entirely prohibited except in the Hill Maria tract and at every camp at which I halted during my tour in Ahiri the Maria pressed for permission to revive it. In my view their wishes should be met. It should not be difficult to regulate *jalapod* or *podu* by fixing regular *chaks* to be felled in two yearly rotations. When the present prohibition was first enforced the miscellaneous forests were allowed to grow up just as they were with all the old high stumps and crooked stumps surviving from past *podu*. Even the patches of teak are often useless because they have been allowed to shoot from old undressed stumps. Most of this vast forest around Surjagarh and Bhamragarh and Jharawandi is quite useless commercially and will remain so indefinitely unless good teak can be sown. In Panabaras Zamindari some forty years ago the Court of Wards initiated the practice of requiring *podu* cultivators to sow teak seed in their clearings before they abandoned them. This contributed materially to the growth of

the fine forest that is now so valuable an asset of this estate. Talking to Maria at my camps and marches in Ahiri, Jharapapra, Aundhi, Koracha, Murungaon, Rangi and Dhanora Zamindaris, I found them most receptive of this idea. The economic salvation of the Maria country in recent years has been the great growth of departmental forest operations at Allapalli, and the Maria were therefore quick to appreciate the idea that conservation of the remaining teak and the growth of teak in areas now to be selected for that purpose and sown with teak seed at the end of *podu* cultivation would bring facilities like those at Allapalli far nearer to their villages in the days of their grandchildren. They would, incidentally, welcome the leasing by Government of remaining patches of poor teak forests in Ahiri around Surjagarh and elsewhere, provided that in the reservation more care is taken to protect village grazing and *nistar* rights that was done in the forest settlement of the present Ahiri leased forest. Besides areas of which *podu* is thus allowed for teak regeneration, there should also be fixed areas around each village where it may continue indefinitely.

279 In their present mood the Maria will not wait long without again taking the law into their own hands and cutting *podu*. One or two more years of failure of rice crops might see a general recrudescence of unrestricted shifting cultivation. The aboriginal zamindars of Girchiroli except perhaps Palasgarh can be relied upon to see that *podu* is not excessive and does not destroy commercially valuable jungle. In Ahiri effective work can only be done if the new Manager whom the zamindar has promised to appoint will take immediate steps to work out a proper scheme for the management of the forests with the help of regulated *podu*. Expert forest advice must be taken as to the areas needed for regeneration after clearing, felling and *podu*, and as to the areas around villages where *podu* can safely be allowed for so long as can be foreseen. In all this the fullest co-operation can easily be obtained from the Maria through their *gatta* and the *sendia* or headmen of groups (*patti*) of villages, whose authority remains real and unchallenged. Careful planning and sympathetic execution of the scheme should secure the economic position and contentment of the Maria for as long as can be foreseen. Above all the method of threats should be abandoned and an effort made to enlist their sympathy with the measures to be undertaken, even to entrust their execution to their headmen.

280 Though this does not really arise in the present context, I should mention that formerly cock-fighting bazars were a favourite pastime of the Maria as they still are in Bastar State, the Lahiri and Oikal bazars were famous in adjacent parts of Bastar also. At my Lahiri camp I was amazed to find that this had been totally stopped by officious police action on the theory that it contravened the Gambling Act. There was no passing of cash in betting between aboriginals. All that happened was what happens still in most of Bastar, the owner of the winning cock took the defeated bird of his rival, whether alive or dead. Even those who tied iron spurs or knives on to

*See paragraph 570 of Mr H S Kamath's recent report on *Grazing and Nistar in the Central Provinces Estates*

the cock's legs used only small knives. This way of increasing the cock's natural armament is regarded generally as cruel though a Maria argued with me that if it meant a quicker death for a cock it was not cruel. However the *gaita* all undertook that if cock fighting were allowed the iron spurs would not be permitted and that there would be no betting in cash or grain but only the defeated birds passing hands. Thoughtless officiousness such as that which stopped this local cock fighting merely because in the non-aboriginal villages cock fighting invariably is cruel to the birds and amounts to public gambling is typical of the lack of imagination with which all that gives colour to aboriginal life is frowned upon by the petty officials. In this case I believe that the prohibition emanated from an inexperienced European District Superintendent of Police. The matter is not entirely irrelevant in a chapter on agriculture because the game cock comes from a fine breed of poultry.

281 I leave on record a file which contains accounts of the methods in which shifting cultivation is practised still in the province, notably (besides the Maria country) in the Baiga Chak of Mandla District in the Baihar and Satgarh zamindaris in the Lormi forest reserves in the north of Pandaria Zamindari in parts of Chhindwara Jagirs and of the Government forests adjoining Pachmarhi, and (by the Kamar) in Bindra Nawagarh. It is also practised by the Korku in the south west Melghat and in villages not far from Kukru in Bhainsdehi Tahsil. It survives in the Korku-owned Bariam Pagara Jagir of Hoshangabad* where it should not be interfered with.

282 The success of regulated *bewar* as a means of contenting and settling the wilder Baiga and Bhumia is strikingly illustrated by the experience of the Forest Department around Lormi in Bilaspur Forest Division. Mr Verrier Elwin in *The Baiga* gives a long account of the meaning of *bewar* cultivation in the mythology and culture of the Baiga. I have dealt with the subject at some length in paragraphs 96 to 100 of *The Aboriginal Problem in the Balaghat District* and my recommendations there are summarised in items 18 to 21 of Appendix V. On my remarks in paragraph 55 of my *Mandla Notes* that the Baiga of the Chak no longer worry much over plough cultivation lacerating the breasts of Mother Earth and being a major sin Mr Elwin particularly emphasizes that the Baiga of the Chak are not representative of the tribe as a whole having been subject to very vigorous propaganda for the past sixty years by the Forest Department so that naturally they would either come to lose their belief in their old ideas or at least would say that they had lost them just as in Bastar State the Maria and Muria will tell you if you ask them that they have given up beef eating although beef is still

*An absurd instance of the difference between two districts I found in the Almod and Pachmarhi Jagirs which have some villages in Hoshangabad and some in Chhindwara District. In the Chhindwara villages *bewar* is allowed in the Hoshangabad villages it is not. Therefore the villagers of Hoshangabad who work there or four miles farther than they really need to do have a plot which they have been allowed over the border in Chhindwara District. The best way of avoiding such divergence of administration and securing the full advantages in the cases are treated alike would be to treat the few Hoshangabad villages in Chhindwara District as being in Chhindwara and to treat the few Chhindwara villages in Hoshangabad as being in Hoshangabad. There is no much jagir forest in the fact that this regulation shows there could be no harm.

universally eaten with as much a relish as ever throughout most of Bastar. Recently in Dindori Tahsil, he said, the police had had to arrest a couple of Baiga, who had actually taken to a life of crime because their *bewar* had been stopped, they said in effect that since they were now being made to give up *bewar* and so live a life of sin, they might as well go the whole hog and sin in all other ways as well.

283 What now remains of shifting cultivation does no harm to anyone and on the contrary keeps contented the most primitive people in the province, such as the Hill Maria, the Baiga, the Kamar, the Bharia-Bhumia or the Korwa. On no account should it be stopped, nor should the power to stop it rest with District Officers, it should be stopped only by a considered order of the Provincial Government in a matter affecting the special responsibility of the Governor for the peace and good government of the Partially Excluded Areas and the safeguarding of a legitimate interest of the aboriginal minority.

284 To return to the main theme of this Chapter, aboriginal agriculture, some more quotations from settlement reports show the course of events in typical areas. In paragraph 126 of his Bilaspur Zamindaris Settlement Report Mr Wills described how in 1866 when the first settlement began there were rough tribal boundaries between village and village, and the traditional limits of the lands within which each village (my Bastar experience would lead me to say clan) could practise *bewar* cultivation (known in Bilaspur as *beora*) were accurately known to the villagers, especially to the village Baiga or priest. There was an enormous disparity in the size of the villages and, generally speaking, the more remote the villages, the larger the areas which they covered. This Mr Wills thought to be due to the gradual development of local agriculture. The introduction of settled rice cultivation in the remoter parts of the Satgarh had been fairly recent, and when first introduced, did not oust the traditional *bewar* altogether, the two systems continued side by side, as they still continue in the remotest villages, and long after rice had been accepted as the staple local product, the tenants continued to regard their *bewar* rights over an extensive tract of adjoining forest as a valuable asset. In the level country where the population was dense and the jungle more accessible, the absence of forest protection had by the time of the first Settlement in 1866 already laid the country bare, *bewar* rights had been forgotten, the tenantry was exclusively devoted to regular cultivation, and the waste land had been broken up into a number of hamlets which developed soon into independent villages. As to the growth of cultivation, after noting that the Bhumia, Binjhwar, Mahoto, Korwa and others were still practising *bewar* in the hills, Mr Wills continued—

“Plough cultivation was probably introduced by Gond and Kavar immigrants from the east and north who conquered the earlier inhabitants and enslaved them or drove them to the hills. Introduced at first doubtless as a concomitant of the *beora*, with rice fields in the hollows and *beora* cultivation on the slopes above it, the plough has gradually superseded the axe altogether, except in the case

of *dahrya* cultivation which consists of felling small trees and brushwood over a small area firing them and after ploughing the ashes into the field sowing it with rice. But the introduction of rice cultivation necessarily involved in shallow and uneven soil the embankment of the fields and the immediate consequence of such embankments was to put a final stop to shifting cultivation. In the adjoining Mandla District where as here there is a wide tract of country occupied by aboriginals the staple is wheat, which requires no embankments. Hence though the Mandla Gond is socially just as advanced as the Kavar of Bilaspur yet in that district as also in the adjoining jungles of the Pandaria zamindari wholesale migration from one site to another is to this day a common feature of the agricultural system. On the other hand in the northern zamindaris of Bilaspur shifting cultivation (except in the case of *beora*) is unknown. As soon as a tenant has embanked his fields he has sunk capital in his cultivation which he cannot withdraw. Individuals may under the influence of superstitious fear abandon their holdings. Even bodies of tenants may depart as a protest against some outrage on their social system such as would be involved in imposing on them a headman of a foreign caste. But these are exceptions. As a rule once a tenant has settled in a village he remains there permanently and it is this which gives stability to the agricultural system of the tract. Nor within the village do the tenants shift their cultivation. If it is rice land they have embanked it. If it is any other kind of cultivation they will have at least cleared the jungle to make room for it and will perhaps have fenced it round to protect it from pig and deer. Hence they claim a permanent title in all their fields and though they may leave some of them fallow perhaps for years together yet retain the right to exclude every other tenant from their occupation. But while the permanency of cultivation in the villages of the Satgarh is a great asset yet the general standard of cultivation is still many degrees removed from that prevailing in the *khalsa*. It is still diffuse and how much room there is for improvement can best be shown by contrasting a village of the normal forest type in these estates with an ordinary village in the *khalsa*. In the first place the houses in the forest village will be wide apart those in the *khalsa* village will be closely set together. The former will all be thatched of the latter many will be tiled. In the *khalsa* the fenced garden by the tenant's house is of minor importance to him. He may grow a few condiments in it and a little tobacco for his private use but that is all. In the forest on the other hand the *bari* is of real importance. It will often extend over half an acre the greatest pains are taken in fencing it practically the whole of the available manure is devoted to it and it yields two important crops. The first is maize or *jondhri* which ripens very early and gives the tenant sustenance for a couple of months before the rice is cut. When the *jondhri* is over mustard (*tarson*) is commonly sown after it and yields a valuable crop which goes a long way towards paying the tenant's rent. The contrast

with the villages of the open country is equally marked when we consider wheat, rice and minor crop land. As regards wheat, little need be said, for there are only some 1,200 acres under the crop throughout the Satgarh, according to our attestation papers. It is frequently sown broadcast, is never given the benefit of a rotation of crops, and is never weeded and never embanked. In all these respects its cultivation compares unfavourably with the common practice of the *khalsa*. In regard to rice there is a similar inferiority of method. The rice fields in a village of the normal forest type are neither weeded nor manured, and are seldom asked to support an after-crop of linseed, *madh*, etc., as in the *khalsa*. All the tenant's manure has been absorbed by the *bari* or by a patch of cotton land. His rice land must depend for extraneous fertilization on the dead leaves or ashes from the last forest fire which may be swept into it by drainage from the surrounding jungle. To cope with the weeds the tenant depends solely on his method of sowing. But for the danger from weeds the ordinary broadcast sowing (known as *batar*) would be universally employed. It becomes necessary however every few years to defer sowing for some weeks to let weeds declare themselves and give the cultivator a chance of ploughing them up. Meanwhile the fields have filled with water, and the methods of sowing germinated seed (*lehi*) or of transplanting the young rice plants from an adjoining nursery (*ropa*), must be employed. Both these methods are comparatively laborious and are only adopted as a measure of protection against the weeds which the cultivator never thinks of eradicating by hand. An easy style of cultivation is the more necessary because, though the *lakabata* system of the *khalsa* was never in vogue in these estates, the tenant's holdings are, owing to the configuration of the average village, just as incompact and difficult to deal with. The rice land is mainly confined to the small channels and ravines which scour the village surface. Great distances will often separate one group of fields from another, and render every field operation, from sowing to harvesting, a serious consideration. Then again the minor crop cultivation in a forest village is of a low order. Knowing that there is abundant land at his disposal and that there are but few restrictions on the extension of cultivation, the tenant often prefers not to cultivate the same *tikra* (non-rice land) continuously. After two or three years' cultivation, the virgin soil deteriorates and the tenant then leaves the field fallow for some years until it has regained its strength. That this system of resting fallows is luxury and not a necessity is demonstrated by the poverty of the soil in which minor crops are continuously grown in *khalsa* villages where there is no land to spare.

But it must not be supposed that all their villages are of the 'normal forest type' which I have been contrasting with the *khalsa*. There are many villages in northern zamindaris, especially in Korba on the *khalsa* border, where *khalsa* methods have already been adopted. Elsewhere also immigrants have introduced open-country

methods or some of them into a number of villages, and these win their way in the neighbourhood as the pressure of population increases and the people are forced to adopt less diffuse and more intensive methods. Nor must the mistake be made of assuming that the inferiority of cultivating methods in the zamindari is wholly due to apathy and want of competition among the cultivating classes. To some extent undoubtedly the light pressure of the population on the land favours a less strenuous style of agriculture. But it is impossible to see the years of toil which have been spent in substantially embanking the larger rice channels without realizing that the people are in no wise wanting in energy when circumstances arise to call it forth. They are sadly deficient in capital because they have as yet made no attempt to develop their agricultural credit. Hence the number of improvements—irrigation tanks and cross embankments and channels for diverting water to the fields—is small and the total outlay on them insignificant. But their industry is not at fault. Some of the points in regard to which I have drawn unfavourable comparison with the *khalsa* are such as are the natural result of circumstances. For instance the absence of double-cropping in rice land is not merely the result of the zamindari tenant's laziness. The scattered position of the rice fields, frost in the cold weather months and the difficulties of protecting the second crop from the ravages of deer are all factors which may well decide the average tenant to turn his hand to forest labour rather than protract operations in his fields. Again, the difficulty in procuring casual labour and the remarkable encouragement to undergrowth of all kinds resulting from the proximity of forest are reasons which probably restrain the tenant from any attempt to weed his fields by hand. The outturn of the crops is undoubtedly less—except in the very best rice positions—than that which would be obtained by an experienced cultivator from the plains. But I would be inclined to attribute the bulk of this defect to the natural disadvantages under which the forest cultivator labours. As the country opens out and opportunities arise for applying superior methods it will probably be found that the Gonds and Kanwars are on the average just as intelligent in the matter of field work as the ordinary *khalsa* cultivator and of a rather more industrious disposition.

285 The further advance of agriculture in the Satgarh in the next 20 years is shown in the following extract from the Settlement Report of 1928—30 (Mr. Jayaratnam's) —

The increase in the double cropped area is 24 000 acres in the Satgarh striking evidence of the agricultural progress during the last 20 years. The question has been asked whether there has been an advance in methods of cultivating rice in the Satgarh. The implements used have not changed the plough is the same light one—home-made of *surai*—embanking is done with the *kuri* and the only other implement used is the *kopar* for levelling. Some *ganotias* near Katghura

have experimented with iron ploughs. But with the progressive cleaning of the fields there is a considerably larger area sown dry (*kurra* and *batar*) at present, a method which gives a much larger outturn. Field after field which twenty and thirty years ago would have been choked with weeds, if sown early, are now prepared for sowing in the hot weather. *Lehi* sowing is, however, still extensively practised in order to clear the fields of weeds. The area transplanted is 3,200 acres against 1,300 acres at settlement. This method of rice cultivation is peculiar to the thickly populated Pendra villages on the Rewa border. Manuring and weeding are rare, though the advantages of the former are recognized and some of the better rice fields are weeded. The difficulty in the way of the extension of the practice of manuring, even if sufficient manure were available, lies in the heavy rush of water over the fields after the early torrential downpours of rain, and the return for the labour involved in weeding scattered fields is not considered to be worth while. The fields, however, receive a certain amount of manure from the debris of the surrounding jungles, and weeds are periodically killed by *lehi* operations. Rice in the *tangan* fields is rarely, if ever, *biasied*. A considerable quantity of rice of the early *karenhi* and *dahi* varieties is sown on the *tikras*. In the remoter tracts, particularly of Korba, Matin and Uprora, it was the practice until recently to heap brushwood cut from the neighbouring slopes on to the fields below, and to fire them at the end of the hot weather for ash manure. This modified type of *beora* is now practically extinct, though the heavy outturns are still spoken of by the tenants. The standard of rice cultivation is surprisingly high and the skill and industry displayed by the aboriginal, particularly the Kanwar, in constructing his rice fields, undeterred by the stupendous labour involved in cutting into sloping land, embanking channels and leveling the broken surface is truly worthy of admiration. The manner in which water is diverted through channels or drained by *tars* across *tikras* and the base of hills all testify to the intelligence and foresight of the cultivator.

"Pure *rabi* cropping is limited in the hills. In Pendra, there has been a remarkable extension in the wheat area stimulated by the demand for it at the Pendra Road market, and in the belt of black soil villages near the railway *kodo* has very largely given place to wheat and minor *rabi* crops. The growing of barley (*java*) and gram on the extensive silt areas on the banks of rivers and nullahs in the Matin zamindari is specially worthy of notice. *Java* is a favourite article of food with the Singrolia-Gond who forms the backbone of the tenantry in this estate.

"The minor crops—*kodo*, *kutki*, *hirwa*, *ramtili*, and so on—receive but scant attention. They are grown on *tikras* much of which is not free from scrub or thin forest growth. The usual rotation on new land is *tilli* the first year, *kodo* the next, *ramtili* and *kutki* the third year and then a rest varying from two to five years. The statistics in paragraph 17 (ii) show to what extent the quality and quantity of minor cropping has improved.

No description of the agricultural practice of the Satgarh will be complete without a reference to the cultivation of mustard (*sarson* and *rai*) and maize (*makai* or *hondri*) in the *baris*. These *baris* are half an acre to an acre in size and are substantially fenced round and carefully manured. In the more remote villages *sarson* is even grown on level *tikras* round the village site after burning a thick layer of brushwood on them.

On the borders of Korea and Sirguja in the extreme north of Matin and Uprora one can still see primitive jungle methods with patch cultivation in forest clearings in which the axe and fire play a more important part than the plough. Korwa on the Kerala hills in Korba and Bhumias on the border hills in Kenda and Pandaria still practise *bcora* to some extent. These regions are inaccessible and are of no economic value and they afford a sanctuary to the rapidly diminishing colonies of the most primitive people in these estates. A word in regard to them here will not be out of place. *Bcora* cultivation on remote hill slopes or depressions from which such timber as there may be cannot be exploited can do no damage to the economic prosperity of the district. The Korwa and Bhumias take to plough cultivation with reluctance but that they will do so in time is proved by the colonies of them particularly the former who have settled in one or two of the forest villages of Korba. The complete extinction in the district of these rapidly disappearing tribes can only be prevented by securing to them *bcora* patches in such areas as are of no value as forests, provided also of course that the cutting is controlled.

The report says that the occupied area in the Satgarh had increased since 1906—10 by 125 000 acres or 31 per cent and that each year 6 000 more acres had been broken from waste while the occupied area had increased by 101 086 acres. In every 100 acres newly occupied 91 had been kept under continuous cultivation and it was obvious that there had been—

A real and genuine gain of agricultural assets and expansion has not been of that predatory kind which at a first glance of the statistics one may be inclined to infer in regard to an aboriginal tenantry inhabiting undeveloped tracts of wild country. Concurrently with the breaking up of waste land the process of embanking open land for rice cultivation has gone on and excluding the areas summarily settled by Mr. Wills the excess embanked area is 70 199 acres. These figures show that during the last twenty years a vast amount of agricultural activity has been steadily and unostentatiously pursued in these outlying zamindaris.

236 Mr. Wills view that long resting fallows are a luxury even on *barra* soils may be contrasted with the view of Mr. Lillie in paragraph 5 of his Mandla Settlement Report of 1928—

A very large area (of Mandla District) 70 per cent is either new or old fallow. The extensive fallowing is in the main the result of the aboriginal system of cultivation of *barra*. Since this soil will not bear a continuous crop the

practice is to crop the land for three continuous years, the usual rotation being *jagm* in the first year, which is supposed to increase the outturn of the *kodon* and *kutki* crops which follow in the second and third year, respectively. After three years the soil is exhausted, and is left fallow for five to seven years. This method has been aptly described as rotating cultivation, about one-third of the poor land being cultivated in succession for three years at a time, and then left to recover. The use of manure is unknown over almost the whole of the district."

The commonest crops on these *barra* fields are *kodon* and *kutki*, of which Mr. Waterfall observes in paragraph 18 of his Raipur and Drug Zamindaris Settlement Report that though these are the favourite staple of the aboriginal and very hardy crops calling for little outlay or trouble, they are crops for new land, and are wasteful in that the outturn is small and two or more years' fallowing after cropping is necessary. They are never manured, but then the Agriculture Department has till recently only regarded them as worthless "birdseed", though nutrition experts find them to have a higher food value than rice. The Land Records returns still lump them together, though not only are they very distinct in growth and appearance but *kutki* can be sown long after *kodon* on land prepared too late for *kodon* sowing, and has two varieties, *bladel* ripening in Bhadon and *kartakya* ripening in Kartik month, in Chhattisgarh the latter variety is known as *mai* and, sown in black soil mixed with *tur*, is harvested as late as January.

287 Not all backward areas can show progress like the Satgarh. There is a definite retrogression for example in the Chhindwara Jagirs, as the table below shows —

Jagir*	Acres under			
	Kharif crops		Rabi crops	
	1915-16	1939-40	1915-16	1939-40
Pagara ..	48,327	43,705	7,058	12,227
Pachmarhi	9,184	7,428	1,149	1,543
Almod .	2,444	2,731	632	544
Bhardagarh ..	4,074	3,610	383	381
Gorakghat .	1,013	1,004	108	188
Bariam-Pagara	859	662	56	110
Sonpur ..	32,362	24,844	6,411	7,835
Batkakhapa ..	20,828	16,146	778	1,333
Harrai ..	26,453	18,229	2,901	3,749
Gorpani .	5,348	4,700	497	867
Total	150,892	123,059	19,973	28,777

In Pagara, bordering on the plains of the Narbada valley, the fall in *kharif* is made up for by an increase in *rabi*, chiefly under gram and wheat-gram, and there has thus been improvement, though even in that estate the cropped area has fallen by 5,054 acres since 1937-38, and *kodon-kutki* still occupies 22,000 acres against 23,500 at settlement. The fall in *kharif* area almost

everywhere is mainly a fall of *kodon kutki*, a sign of soil exhaustion but the areas under the lucrative *jagni ramtilli* and *tilli kharif* oilseed areas have also declined in the jagirs from 33 937 to 20 475 acres. Of *kharif* crops only maize the main *bari* crop of the area has more than held its own which lends point to my general view that we should concentrate in backward areas on the intensely manured *bari* or homestead lands the plot around the house whereon the cattle are penned

288 What has the Agriculture Department done to teach the aboriginal better methods of cultivation as first the chances of refreshing the soil with the ashes of *bewar* cultivation receded and then the system of long resting fallows for *barra* soils became less and less practicable with the increasing pressure of the population upon the soil? In my Mandla and Balaghat Reports particularly the former I was somewhat sceptical whether any benefit had been derived by the aboriginal from the activities of the Department in Mandla District and Baihar Tahsil. Nevertheless the Dindori and Garhi farms are undoubtedly moves in the right direction. There are here two centres in the heart of aboriginal country from which improved agriculture methods are being diffused. Another such farm is the Bod farm near Dharni in the Melghat and there are demonstration plots at other centres. In Betul District however the Betul farm concentrates purely on crops which benefit the substantial Hindu and Muslim cultivators of the open country. The average old fashioned revenue officer or *malguzar* in the backward areas sees so little of the Agriculture Department that he is hardly to be blamed for remarks of the type made by one recent critic to the Deputy Commissioner of Mandla that the Agriculture Department consisted only of pensioners. The Department which should be the major nation building department of the province is grievously understaffed everywhere and naturally this understaffing is most painfully apparent in the backward areas where villages are few and far apart. The Department probably wisely at first concentrated its staff in the open tracts where immediate practical results could be obtained from more responsive and intelligent cultivators versed in the traditional *krishi vidya* of the Indian plains country. The Partially Excluded Area where recently perhaps most has been done is the Satgarh. One private demonstration plot each was started in Pendra five years ago and in Matin Lapha and Uprora three years ago with a demonstration *jamadar* or *kamdar* to look after the plot and deal with demonstration and propaganda in the *zamindaris*; there is also a Government demonstration plot at Katghora under the charge of a senior *jamadar*. These plots have been demonstrating rice sugar cane tur groundnut and wheat cultivation. In Pendra *Zamindari* there are 74 rice and 10 wheat seed farms and in the other five *zamindaris* 102 rice seed farms. These farms have distributed since they were started 432 763 lb improved rice seed 9 670 lb groundnut 4 080 lb of wheat 15,200 whole canes of sugar and smaller quantities of peas tur and linseed. 42 seed unions have been organised in the five *zamindaris* with 812 members and a stock of 278 418 lb rice seed there is one such union in Pendra with 17 members and a stock of 3,290 lb of rice seed. Groundnut has been introduced as a new crop in about 100 acres.

scattered over the estates, while improved varieties of Coimbatore sugar-cane have been demonstrated in 51 villages where irrigation facilities were available (which means that they benefited the non-aboriginal). Particular efforts have been made to encourage the growth of fruit-trees, the varieties distributed being oranges (1,113), lemons (91), jackfruit (100), plantains (731), papaya (638), mosambi (172), guava (104), mangoes (109) and miscellaneous (108). Most of these fruit-trees have been planted in the *baris*, in the Pendra Zamindari, for example, 4,145 fruit-trees have been planted in the *baris* of 44 villages, twenty-three orchards have been started and the cultivators are kept regularly advised about improving and manuring. The growth of vegetables is being encouraged in many centres. Artificial manures for fruit-trees have been supplied, and efforts have been made to teach people to increase manure by composting and other methods. A cattle-breeding farm has existed for ten years at Pakaria in Pendra, and bulls supplied from this have been used in a new farm started three years ago in Matin Zamindari. In each case the object is to produce good bulls for local work. In Kenda Zamindari progress has not been so marked, but the plot attached to the *vidya mandir* started there three years ago is being used as a demonstration centre, there are also three rice seed-farms which have distributed 30,100 lb of seed, and a start has been made with orchard and vegetable cultivation. The Extra-Assistant Director remarks that the progress is slow, the jamadars in charge of the plots have not enough time to tour in the remote interior and extra propaganda staff is badly needed. Above all the people of the zamindaris lose a great deal on selling their produce and purchasing their needs through middle-men, and a co-operative organisation for sale of their produce and purchasing their needs at a reasonable cost is urgently needed.

289 Similar work in the distribution of improved seed is being done by seed depots at Dindori and Garhasarai in Mandla (in spite of my criticisms on these institutions in my *Notes*), and in my Balaghat Report I have mentioned the work being done by the Department in that district, but the following extract from my Chhindwara Jagirs note shows how little really is done in those typical Partially Excluded Areas and even in the open *khalsa* parts of the district —

“Almost every aboriginal in the district, both *khalsa* and *jagir*, keeps poultry. When the Agriculture Department was in charge of animal husbandry, some attempt was made to improve local breeds by the distribution of White Leghorn cocks at Tamia and Bijori, but the Agricultural Assistant believed that this had ceased since the transfer of the work to the Veterinary Department. There is a big demand for eggs and poultry in Nagpur, in the mining area around Parasia, and in Jubbulpore, and probably a trade with Bombay could be built up, for example a marked feature in the western districts of Hyderabad has been a rapid growth in recent years of a poultry and eggs trade with Bombay. Any poultry scheme would involve arrangements for collection and marketing of eggs and poultry, probably through the medium of a co-operative purchase and sale society.

There is an Agricultural Assistant at Chaurai on the Chhindwara Seoni road who is also in charge of the Amarwara Tahsil and jagirs while the Agricultural Assistant in charge of the main farm at Chhindwara is responsible for the work of the Department in the Chhindwara Tahsil and jagirs. As already remarked the demonstration plot at Harrai has been closed down and the Jamadar shifted to lendri to take charge of the Vidya Mandir fields where he cannot be an effective exponent of modern agricultural methods. It is admitted that practically no work is done by the Agriculture Department in the interior of the jagirs except in a few villages with patches of good soil and non-aboriginal cultivators. The Chhindwara Agricultural Assistant has besides the farm at Chhindwara a demonstration plot of about 14 acres malguzari land outside the jagirs at Khiradoh near Parasia where there are some aboriginal villagers and the crops grown are *juari*, groundnut, wheat, cane and vegetables. The Agricultural Assistant can do little touring and the Chhindwara Tahsil agricultural Jamadar who resides at Chhindwara devotes most of his touring to the open parts of the tahsil. The Amarwara Tahsil Agricultural Assistant stationed at Chaurai has besides his plots at Chaurai a small demonstration plot in the west of the tahsil at Charankhapa about 8 miles from Amarwara. These various plots benefit primarily the non-aboriginal cultivators of the *khalsa* areas.

The Agricultural Assistant maintained that it was practically impossible to effect any agricultural progress in the jagir areas on the steep stony slopes. There are seed unions however at Harrai and two other places in the Amarwara jagirs and at Delakhari on the Pachmarhi road in Pachmarhi Jagir at the adjacent village of Umria and at Bijori near Tamia, both in Pagara Jagir. The nine members of the Delakhari Seed Union are nearly all Telis by caste, the Umria Union Gond and the Bijori mixed Gond and Christian. The movement has not caught on enough locally to justify any conclusions as to its practicability in any general scheme for aboriginal uplift. The seed unions distribute practically only *juari* and wheat seed and that of improved varieties. They are entirely in the hands of the Agriculture Department. It would be better if, as in the Bombay Excluded Area, they were entirely in the hands of the Revenue Department, and instead of being seed unions or societies they were Government depots.

The suggestion that nothing can be done to improve cropping in the jagirs is defeatist. *Kodon* and *lutki* will no doubt remain the staple foods but have a fairly good nutritive value. Everywhere the foundation of uplift is improved income from cultivation. Possibly in these poor soils some commercial crops, such as castor, might be grown and a line of approach might be to encourage bigger and better cultivated *baris* instead of undue dependence on the lesser millets grown on stony hill-sides which in the old days only produced good crops with long fallows and periodic *dahya* cultivation. In these *baris* could be grown besides oil seeds

decent vegetables and improved tobacco Any attempt at a cropping plan for the backward areas generally ought to be preceded by a nutrition survey

"Potatoes should be capable of being grown in the jagirs as in most hilly regions of India, the late Mr Bourne did much to spread potato cultivation in Betul District At Batka-Khapa weekly market I saw several dealers offering potatoes and onions for sale, but all had been brought into the hills from Narsinghpur The Agricultural Assistant tells me that till recently there was a demonstration plot for encouraging potato cultivation, but that this has been closed down largely because of the expense of providing fresh seed If potato cultivation is encouraged, it will be necessary to facilitate marketing by a purchase-and-sale co-operative society This is clear from the experience of potato cultivation around Chhindwara The vegetable marketing of this place is in the hands of a ring of local merchants in Chhindwara At present for two maunds of potatoes the local cultivator is getting Rs 3 The cost of transporting that by lorry to Nagpur is Re 0-12-0, for bagging Re 0-2-0 and of Nagpur terminal tax Re 0-2-0 The cost to the merchant is thus Rs 4 According to the Agricultural Assistant the price in Nagpur is Rs 6, so that 33 per cent of the Nagpur price of the potatoes goes to the middle-men and only 50 per cent to the cultivator Last year some local cultivators tried taking their own potatoes to Nagpur The local merchants made a ring with the lorry drivers and arranged that they should charge Re 1-1-0 a bag for potatoes taken by the cultivator themselves against Re 0-12-0 a bag for those sent by the merchants"

290 The Director of Agriculture when recently consulted about the work done by his Department in aboriginal areas and a programme for the future wrote as follows in his memorandum no 6063 of October 19th, 1940, to the Provincial Government —

"It is unfortunately true that it has not been possible for the Agriculture Department to give sufficient attention to the hilly tracts inhabited by aboriginal tribes in this province The responsibility for this does not, however, I venture to submit, lie entirely on this department, because at no time has the staff of the department been sufficient to meet its minimum requirements even in respect of the more easily developed tracts This minimum was recommended by the provincial Board of Agriculture to be one agricultural assistant and two *jamadars* for every tahsil The department accordingly stressed from year to year the necessity for augmenting the staff and, according as the staff was strengthened the activities of the department were extended gradually by posting agricultural assistants and demonstration *jamadars* to tracts which were formerly untackled On grounds of financial stringency, however, the strength of agricultural assistants was reduced by Government in 1932 from 133 to 119, a reduction which had a very serious effect on development activities and adjustments had to be made by combining charges of tahsils and by restricting departmental activities to accessible

areas from which the maximum benefit could be secured there are even now 21 tahsils without independent agricultural assistants. Proposals for the increase of staff have been put forward from time to time but financial considerations have always come in the way of fully implementing these proposals. Such additions as have been sanctioned during the past eight years have been for special purposes as for instance —

- (1) Two posts of agricultural assistants sanctioned in 1937 for formation of an independent Entomological section
- (2) One post of demonstrator sanctioned in 1937 for the Chemistry Section owing to the increase in the number of students
- (3) One post of agricultural assistant sanctioned in 1938 for administration of Cotton Ginning and Pressing Act.
- (4) Two posts of agricultural assistants sanctioned in 1939 for expansion of the Chemistry Section
- (5) Three posts of agricultural assistants sanctioned in 1939 for five years for substituting the permanent assistants deputed on cotton work in the Central Provinces and Berar Cotton Breeding Scheme.
- (6) One post of agricultural assistant sanctioned in 1940 for the Agricultural Engineering Section for boring work

2 The aboriginal tracts have not however been entirely neglected. The farm at Dindori in Mandla District has been established exclusively for the benefit of the large aboriginal population of that tract. It was originally meant to serve the purposes of seed production and demonstration but proposals have now been submitted which will develop it into a research centre for the improvement of crops which are of special importance in that tract. Proposals for establishing a farm in the Mandla District date as far back as 1923 they were repeated again in 1927 and 1935 and were implemented in 1936, consequent on the windfall for rural development received from the Government of India. Other backward tracts tackled by the department are the Melghat Garchiroli Tahsil and parts of Chhattisgarh where demonstration plots and seed depots have been opened for the production and distribution of improved seed and for demonstration of improved implements. These tracts lie in remote areas and are ill served by rail and road communications. The very few demonstration plots which exist are therefore rarely seen except by people in the immediate neighbourhood and the staff are so few that it is impossible for them to do propaganda work with the requisite intensity or to consolidate whatever work they have been able to initiate. For these reasons the department is not much in evidence in the backward tracts.

3 In 1937 80 additional posts of *kamdars* were sanctioned in connection with the rural uplift campaign. These posts are temporary for five years. The extra staff was for

the purpose of managing demonstration plots to be opened in remote areas, and it was proposed that further staff should be recruited according to requirements. With the inauguration of the *vidya mandir* scheme a little later, however, the whole of the extra staff had to be switched over to the management of *vidya mandir* plots or to replace permanent staff deputed to that work. They are therefore of little help in strengthening the normal developmental activities of the department. A further 20 additional posts of *kamdars* were sanctioned in August 1939, but this addition did little more than keep pace with the increase in the number of *vidya mandir*. In short, the original purposes of developing backward areas for which the additional staff was provided has been pushed into the background by the *vidya mandir* scheme.

"4 The areas in which greater concentration is most urgently necessary are as follows —

- (1) The backward tract of the Dindori Tahsil of Mandla District
- (2) Interior areas of the Baihar Tahsil of Balaghat District
- (3) Bhainsdehi and Betul Tahsils of Betul District and Sironcha Tahsil of Chanda District
- (4) Hilly tracts of Chhattisgarh

Agricultural improvements will be carried out in the above tracts by opening demonstration plots and seed stores at important centres with demonstration *jamadars* or *kamdars* in charge.

"5 In tracts where work is already being carried on, efforts will be intensified by increasing the propaganda staff. Such tracts are as follows —

- (1) Garchiroli Tahsil of Chanda District
- (2) Chhindwara, Amarwara and Seoni Tahsils of Chhindwara District
- (3) The Melghat tract of Berar
- (4) Harda Tahsil of Hoshangabad District

"6 For effective work in all the above tracts the additional requirements are as follows —

District	Additional requirements			
	Agricultural Assistants	Demonstration Jamadars	Demonstration plots	Seed depots
Chhindwara	1	5		1
Betul	1	4	4	1
Chanda . . .	1	5	2	1
Balaghat . .		3	3	1
Mandla . . .	1	3	..	3
Nimar .. ..	..	3		
Harda Tahsil (Hoshangabad) ..	..	1	..	1
Chhattisgarh (three districts)		8	..	.
Melghat .. ..	..	4		2

The staff if sanctioned will be located at remote places in the interior and their headquarters will be shifted according to necessity. The activities of the department will consist of the production of improved varieties of seed at demonstration plots and their distribution. Seed will be stocked at seed stores and issued on taccavi or on the *barhi* system. Other items of work will be as follows:—

- (1) Planting of fruit trees and their free supply to cultivators
- (2) Improved methods of cultivation
- (3) Silage making
- (4) Bee keeping
- (5) Poultry farming
- (6) Conservation of all manurial resources
- (7) Use of fungicides

7 Detailed estimates of costs involved in the above proposals are given in the statement attached:—

Estimates of expenditure required for introducing agricultural improvements in the aboriginal tracts

	Item of work	Non recurring	Recurring
I	Opening of demonstration plots— Nin demonstration plots	7 200	3 600
II	Establishment for propaganda work—		
	(1) Four agricultural assistants at Rs 50 per mensem each (scale Rs 5—5½—100).		2 400
	(2) Bad climate allowance for four agricultural assistants at Rs 10 per mensem each.		480
	(3) 36 demonstration jamadars at Rs 20 per mensem each (scale Rs 20—1—30—2—50)		8 640
	(4) Bad climate allowance for 36 jamadars at Rs. 3 per mensem each.		1 296
	(5) Travelling allowance for above staff		5 600
	Total for propaganda staff	7,200	22 016
III	Opening of seed stores— Ten seed stores at Rs 1 000 each	10 000	
IV	Nursery for raising fruit seedlings for free distribution		2 000
		10 000	2 000
	Total for I to IV	17 200	24 016

In addition to the above a permanent advance of Rs 3 000 for each of the ten Seed Stores will be required.

All this of course should be provided though this has not yet been done, and even if it is provided it would only touch the fringe of the problem of teaching the aboriginal to make better use of the land that remains to him and to extract a living from it. All talk of educational, political and social advancement and the like depend purely upon the power of the aboriginal to fill his stomach: here as everywhere the maxim quoted by Father Lercher applies *primum vivere et deinde philosophare*.

291. Mr. McDougall has commented to me that the proposals in his letter were designed on a very modest scale in the hope that financial considerations would not kill them at birth. For Mandla District he asked only for one more Agricultural Assistant, three Demonstration Jamadars and provision for three seed-depôts. The existing agricultural staff of the district, excluding the Dindori farm staff, consists only of one Agricultural Assistant at Mandla and two Demonstration Jamadars, one at Garhasarai and the other at Dindori. It is futile, he remarks, to hope for any substantial results from so small a staff in a district containing 2,020 villages, while much of the one Agricultural Assistant's time has for the past three years been taken up with the preparation and management of the four *vidya mandir* plots in the district. These 1940 proposals were not sanctioned in the provincial budget for 1941-42. Had this been done a start would at least have been possible for organised work. Five Demonstration Jamadars, each with a seed-store and a number of private demonstration plots under his control, would by now have begun intensive work in groups of 15 or 20 villages, and after two or three years when the work in these groups was well established could take up fresh groups. Only by such concentrated efforts can real progress be made and sustained. Even with the staff proposed by the Director progress would remain slow, and the department would be able to deal with only 75 or 100 villages at a time taking up a fresh lot of villages after every two or perhaps three years, but this would be definite progress.

292. Other special points are the valuable research work that has recently been undertaken in oil-seeds through a specially appointed Oil-Seed Specialist, a part of whose work is being undertaken at the Dindori farm, it is still through *tilli*, *jagm* and other minor oil-seeds that the average aboriginal pays his rent and other yearly dues. In 1940 also the Director of Agriculture sent to the Imperial Council of Agricultural Research proposals for intensive research on the small millets, *kodon*, *kutki* and others, to be done at Dindori by a specialist of gazetted rank. This is at last a real step in the right direction. The scheme has not yet taken effect, because the Council is considering how to carry out research on small millets on an all-India basis. The cost of the cheapened scheme now again sent up by the Director of Agriculture is Rs. 26,500, of which the Provincial Government should not hesitate to meet half or even the whole if the Imperial Council cannot find the funds. Hitherto, as Mr. McDougall says, there has been no provision for serious research work on these crops in the areas where they occupy so important a place in the rural economy. Research is needed also on maize, now for many years the principal *bari* crop, and that too is in the Director's programme.

293. The Director strongly stresses the need of improved methods for distribution of seed and of granting and accounting for seed taccavi in kind and not in cash. The point is dealt with further in the section on Co-operation. It is emphasized by everyone.

294. Mention should also be made of a most useful scheme now getting under way with the assistance of the Imperial Council of Agricultural Research. The aboriginal ryotwari village of

Kodahiri near the 57th mile from Nagpur on the Nagpur-Seon road has been selected for a model project for the demonstration and introduction of all forms of agricultural improvement possible in a typical aboriginal tract. The village has a population of 210 of which 148 are aboriginals and an area of 882 acres of which 643 are cultivable, but the actual cultivated area in 1939-40 was 272 acres only. There are 30 holdings in the village: 2 below 5 acres, 1 from 5 to 10 acres, 13 from 10 to 20 acres and 14 above 20 acres. Most of the soil is light *barra* and the crops grown locally are rape, *kodon kutki*, a little *juar*, gram and linseed. The standard of cultivation is typically aboriginal and poor. The people supplement their earnings from their fields by working in the adjacent Government forests, though this gives them some ready cash, it further increases the inefficiency of their cultivation. The experiment is to be carried on for five years at an initial expenditure of Rs. 1,500 and recurring expenditure of approximately Rs. 1,900. The programme includes land improvement by bunding the soil to prevent erosion, levelling and grading of fields and removal of shrubs, the use of improved implements, the proper use and preparation of different manures, the introduction of improved varieties of crops and fruit trees, the latter in *baris* and rotation of crops. This is to be accompanied by measures for the improvement of cattle, improvement of grass land, hay making and silage, poultry farming, rearing of silk worms, bee-keeping, control of insect pests and diseases and introduction of co-operative organisations to purchase and sell agricultural requirements and produce. It is hoped by all these means to increase the net profit per acre by Rs. 5-7-0. This seems to be an experiment with great possibilities, one's only regret is that there cannot be more such experiments, one at least in each of the Partially Excluded Areas. Mention has been made elsewhere of the scheme of starting new villages in Mandla District as a famine measure in land excised from forest in which a development plan is to be prepared by agricultural officers and the new ryots to hold on condition that they cultivate according to this plan. That also is a reasonable line of approach. In nearly every district there are at least a few aboriginal ryotwari villages where very little has so far been done by Government for the ryot except the sinking of an occasional well. Work on these lines in selected ryotwari villages would be valuable.

295 The *vidya mandir* scheme as we have seen, absorbed for three years the work of much of the staff available for agricultural demonstration in backward and other areas. Unfortunately these *vidya mandir* plots are now being handed over to the committees formed under the Vidya Mandir Act and though the Agricultural Assistant or Jamadar will remain a member of the committee, he will no longer directly control the cultivation and management of the lands attached to the *vidya mandirs*. The Director of Agriculture from the outset supported the *vidya mandir* scheme and agreed to his staff being employed to get the lands donated to the *mandirs* into proper cultivable order in the hope that these plots would serve as valuable demonstration plots scattered throughout the province. I strongly recommend that this should not be lost sight of at least in the backward areas.

and that so far as possible the children should be taken away from the farcical waste of time involved in such cottonless areas by hours of spinning every day with cotton imported from great distances. What is particularly needed in these areas is the teaching of the elements of agriculture; agriculture as basic craft ought to replace spinning both in *vidya mandirs* and in the national basic education syllabus schools in all backward areas. There are difficulties in the way, such as expense and the training of the *guru*, but none of these difficulties is insuperable. Sometimes it is suggested that small children are too young to work on the fields. At the Powarkhera Agricultural Middle School near Hoshangabad boys between ages of 11 and 15 are taught to handle the lighter types of ploughs in the earlier years. So too in the basic educational syllabus the course in agriculture (given on pages 1 to 11) is distributed over seven grades. The boys in the first are ordinarily of the age of 6. In the first five grades they are expected to watch all agricultural operations and do certain light work, but in the sixth and seventh grades boys between 12 and 14 are expected to handle ploughs. Mr McDougall does not himself consider that such agricultural teachers need involve any large expenditure. It certainly needs to be tried as soon as possible in the backward areas where agricultural methods are still extremely primitive and unremunerative. Spinning and weaving probably are admirable crafts for schools in the plains villages of the cotton districts, but in the backward areas, apart from the fact that spinning often offends against tribal law, they bear no relation to the daily life of the village and the lessons taught will be abandoned the moment the boy leaves school, if indeed they do not deter him from attending school.

296 I particularly want to emphasize that there should be a large *bani* attached to all schools in aboriginal localities where children should be taught to grow and consume fruit and vegetables and improved varieties of maize and oil-seeds. To these also should be added pens for poultry, and the children should be encouraged further to keep pets and breed rabbits and pigeons. What can be done on these lines may be seen in the school run in connection with Mrs Vivian Bose's uplift work at Koradih in Nagpur District. If effective progress is to be made I repeat my suggestion made above in paragraphs 84 and 129 that Government should consider recruiting *jamadars* from the Marar caste or even of planting a controlled village of Marar ryots in some ryotwari area so as to serve as a centre for diffusing better methods of agriculture and co-operative work. It might even be possible in the plateau districts to select Gond and Korku youths for working on these lines. The average aboriginal has no need of advanced agricultural college training (in any case I understand that there never has been an aboriginal pupil at the Nagpur Agricultural College), but he needs to know the elements of decent cultivating practice, and how to deal at the market with the man who buys his produce and from whom he buys his cloth, salt, spices or groceries. It is possible that experiments on these lines could be worked in conjunction with the Bhumijan Seva Mandali at Patan in Mandla District.

B—Veterinary

297 In my Chhindwara Jagirs note I remarked as follows in paragraph 21 —

In his notes on the jagirs as Settlement Officer Mr C J Irwin I C S, drew attention to the practice in Batkagarh Harrai Pagara and Bhardagarh whereby the primitive Gond or Korku or the local Ahir and Gaoli resident in the jagirs who are in reality as wild if not wilder than those who are designated aboriginals greatly supplements his living by pasturing cattle imported from the *haveli* lands of the Narbada valley. He pointed out that in Batkagarh for example the rents were apparently high in view of the area of land occupied by tenants but really bore no relation to the land at all and covered—

a very valuable right to live in the villages with access to the forest. In one case I found a village of Ahirs whose rents gave an acreage rate of Re 1 although the land was bad. Similarly in Malpani a village occupying one of the highest of the hills in the Jagirs the tenants actually depend for their living on the 2 annas a head per month which they receive for pasturing cattle imported from Narsinghpur. Such men are always ready to pay a high *barr* rent and in many cases do so. Another advantage which the inhabitants of the more jungly villages of this Jagir get from the cattle sent in from the *khalsa* of Narsinghpur and to some extent of Chhindwara to graze here is that by custom the local cultivator in exchange for his trouble in looking after the cattle is allowed to use them for his own cultivation. In many such villages a large proportion of the tenants keep no cattle and depend entirely for the preparation of their land for cultivation on these animals sent in from outside to graze. The advantage is now however only on the one side for the bulls sent thus to graze in the Jagirs are largely young and untrained and the local Gonds while looking after them in the forests train them for their owners.

In the jungly villages among the hills to the west and north of Khapa one also finds Ahirs and Gaolis of a very uncivilized type and this is probably one of the strong holds of the old type of cattle farming once prevalent on the plateau. There is a certain amount of cattle trading for sale chiefly in the northern and western portions of the Jagirs. The Ahir Marhis, in addition to keeping cows and selling a certain amount of young stock make and sell the compound known as *khawa*. This is prepared by boiling milk until it thickens to a consistency somewhat that of cream cheese. These men are not real cultivators at all and struck me as far more stupid than the ordinary aboriginals.

Increased attention to the Jagirs by the Veterinary Department would thus benefit not only the inhabitants of the Jagirs but also the villagers of the Narbada valley and the Chhindwara *khalsa*. It is possible also that something might be done to improve the conditions of this form of stock farming so as to improve the income of the aboriginals an object which probably cannot be achieved by agricultural improvements.

Stock-raising in many of the Partially Excluded Areas may be a more valuable means of helping the aboriginal than agriculture. The Dharni tract of the Melghat is probably such an area. The last cattle census there showed that there were 9,630 bulls, 2,856 male calves, 5,244 cows and 2,865 she-calves, 39 he-buffaloes, 1,821 she-buffaloes, 475 male buffalo calves and 853 female. Goats numbered 1,675, pigs 27 and fowls 12,404. Nearly all the cattle were owned by non-aboriginals except the cattle owned by Korku cartmen who work in the forests. Korku practice over castration and care of cattle is extremely backward. There was heavy mortality in 1940 from epizootic disease. The Korku have been long ago hinduised out of the keeping of pigs, but still own most of the poultry. A forward policy in stock-raising in such an area would be of great benefit, as in all the forest areas timber carts are frequently loaded beyond the capacity of the bullocks. There is a cattle-breeding farm at Bod which was started partly on recommendations made by Mr Crofton in his Melghat Settlement Report. On the policy adopted there and on my suggestion that the Bod farm might be made a centre for a large scale nation-building experiment in the Dharni tract, the following extract from a letter from Mr H. B. Shahi, Director of Veterinary Services, of December 10, 1941, gives interesting comments —

“A perusal of the previous records shows that the Bod farm was started in 1928, with a foundation stock consisting of animals shifted from Boregaon, Khandwa and Ellichpur Farms and a few bought at Nagpur and Melghat. The majority of these animals were Sahiwal crosses from Nimari, Khamgaon and Gaolao cows. The object aimed at was to grade the successive cross-bred progeny with medium-sized Hissar bulls with a view to evolve a Hissar type of animal acclimatised to Berar conditions. The male stock is castrated and sold either locally or at other favourable markets. As far as this plan is concerned there is no flaw, except that it is a colossal genetical undertaking, for it takes five to six generations to produce sufficiently pure animals (breeding true to type) from this mixed foundation stock. The work is now at the ‘third generation’ stage. Apart from this, however, as you have yourself noticed the graded progeny is coming up to anticipations and has improved considerably in respect of bone, conformation and also to some extent milk yield.

“As to the question of the utility of this farm for Berar and Nimar, for which it was originally intended, I have indeed some misgivings. In spite of the distribution of large numbers of Hissar bulls in Berar and Nimar and persistent propaganda and efforts to popularise this breed, this grey animal has not yet found favour in these tracts. Still the coloured animals, most of which are at present of impure Khargoni and Nimari types, are commonly fancied. For this reason I feel that, though the Hissar breed has yielded satisfactory results at many centres where it has been taken up seriously, Bod’s present activities will not be of much use for the plains of Berar and Nimar. If Hissar does eventually make some headway in these tracts, the demand for bulls

could perhaps easily be met by the pure Hissar herd maintained at Ellichpur Farm. Later when sufficiently pure stock is established at Bod these efforts could be further supplemented from this source. I am in perfect agreement with you that something should have been done for the Khargoni and Nimari types which are so popular in Berar though strictly speaking the former is not indigenous to this province and reared mostly in Holkar and Dhar States. If a farm is started for the improvement of these two types I feel certain that there will be a heavy demand for pure bred Khargoni or Nimari bulls. There will be some initial difficulty in securing suitable foundation stock but once this is overcome there will be a promising future for this enterprise.

As regards the future of the Bod Farm I am afraid we cannot put the clock back and now introduce some drastic change in the breeding policy. As the results are promising we should push on with the present grading work. The sphere of activities should however be restricted mainly to the adjoining tracts and to this extent the original plan needs revision. With the adoption of this policy even the present cross-bred bulls could be issued for grading up the stock in the Melghat. Besides effecting improvement in size and bone the graded Hissar will also assist in introducing milk in the progeny. One of the major difficulties in respect of issue of bulls which incidentally is being experienced in the province as a whole is the finding of suitable persons who would look after and give reasonable maintenance to these animals. If the Revenue and Forest Departments assist in the suitable location and maintenance of bulls a good number can be made available every year. At these centres where the bulls are located the preparation and storage of hay and silage could also be demonstrated with advantage. As regards the sale of bullocks we are constantly faced with the question of the receipts of the farm. Under the conditions obtaining at Bod it costs about Rs. 150 to rear a pair of bullocks to about 3 years of age. We are already getting about Rs. 175 to Rs. 200 per pair for these bullocks. However I quite agree that something ought to be done in regard to the supply of draught animals to the Korkus and if Government agrees to fix up a concession rate for the aboriginals and the forest and revenue officials assist us in securing the demand we shall be only too eager to supply as large a number as possible.

As envisaged by you a large scale experiment in uplift in which all the departments of Government might combine could be effectively worked with Bod as the nucleus of this activity. For effective service and co-operation we shall however need an extra hand either a Veterinary Assistant Surgeon or an Agricultural Assistant assisted by one or two stockmen. The hands of the present Farm Superintendent are full of multifarious farm activities and I am afraid we shall not be able to make much headway in this matter with the present limited farm staff. With the proposed additional assistance the Farm Superintendent will also be able to devote some time to propaganda and development activities.

"The six to eight teeth animals would be four to five years in age and if left unemasculated certainly do a good deal of harm. This late development is mainly due to the conditions of feeding and present state of the stock. Similar trouble is experienced in Chhattisgarh as well. Where feeding is somewhat better animals mature early, and early castration even at the age of 18 months to two years does not have much adverse effect on the development of the animal. We have, however, no definite information and statistics based on practical investigation on this point, and I am contemplating to undertake this investigation at some of our farms.

"I am now calling out a good deal of the stock from almost all the farms. This is with a view to retain the best stock for breeding work and also to reduce our expenditure on feeding and labour. For the last three or four years the demand for bulls has been much lower than in previous years. It is, therefore, necessary for the time being to cut down our expenditure by rigid elimination and maintenance of the best stock only. Recently we have eliminated about 50 heads of cattle at Bod. At this farm we propose to maintain in all about 75 to 100 adult cows and their satisfactory young stock."

298 We need to get away from the policy of breeding at farms in remote areas only cattle suitable for work in the heavy soils of the plains. All our backward areas contain vast acres of pasturage and of land better adapted for grass than for grain. One of the main reasons of aboriginal debt is the purchase of cattle and heavy mortality from cattle diseases. Everywhere the tale is the same. Mandla District has had flaming outbreaks of cattle disease in recent years, and that, Mr Hyde considers, is a principal cause of the depression that has settled upon the local aboriginal. Mr A N Mitchell, I C S, till recently Administrator of Bastar State, in a note that he wrote for me about the Chhindwara jagirs said that the conclusion to which he came when Sub-divisional Officer there a few years ago was that it was not general betterment measures for the local Bharia-Bhumia, Korku and Gond that were needed so much as good administration, protection from the oppression of the subordinate and above all better facilities for the treatment of himself and his cattle against disease.

299 I would advocate therefore a large expansion of the number of touring veterinary dispensaries of the type started at Mawai in Mandla District in all the backward areas, and intensive measures against cattle diseases, which are almost always imported into these areas by the large herds of buffaloes brought from Central India and marched through the backward districts to the plains of Berar, Nagpur and Chhattisgarh. For this purpose the number of quarantine stations already established along the northern border needs to be increased so that there may be no practicable route by which herds can enter the province without the necessary preventive inoculations. At present there are only five such stations in Saugor District and four in Hoshangabad, even if these be enough for these two districts (which is very doubtful considering the length of border) there still remain the northern districts of Mandla, Jubbulpore and Nimar.

completely unprotected. At these quarantine stations the cattle are detained and given goat virus inoculations against rinderpest the epizootic which does most harm in this province and they are also treated against any individual disease observed at the station before they are allowed to proceed on foot into the province over the plateaux and into the plains of Chhattisgarh Nagpur and Berar

C—Industries

300 A point referred to the Commerce and Industry Department during the 1935 consideration of the steps needed for the moral and material elevation of the aboriginal tribes was training in improved methods of cottage industries etc. The improvement of such indigenous industries as basket work, brass and iron work, weaving, etc. is of primary importance. The improvement of such indigenous industries as basket work having been practised by aboriginals as a whole and only by specialized aboriginal or menial castes such as Agarias and Ghasias in the tribal areas. The Inspector of Industrial Schools advised that basketry and cane work were essentially handicrafts needing no theoretical knowledge with little scope for improved appliances and methods, only manual skill was required in his view which would develop in accordance with the demand, which itself was dependent on a market being assured. The Weaving Superintendent put up a scheme for a weaving workshop at a cost of Rs 1 000 non recurring and Rs 550 recurring but pointed out that a regular weaving school would be useless as aboriginal people would probably never join it and it would be full only of pupils of other less timid and more pushing castes. The Deputy Commissioners were then consulted, but concrete suggestions came from Chanda, Wardha and Bhandara only. The replies may be summarised as follows —

(a) Nagpur suggested in the Nagalwadi tract of Saoner and the Dongartal tract of Ramtek Tahsils training classes in basketry weaving and copper work in primary schools.

(b) Wardha thought that the only useful village industries capable of improvement in the district were hand loom weaving carpentry iron smithery rope-making and dairy farming and opposed any small hand loom weaving factory in a selected central place as this would only provide work to a few office-bearers and would be of no practical use to aboriginals or any one else. It was suggested that extra classes should be opened in existing schools in selected villages in tribal areas for teaching modern methods in one or more of the five industries mentioned above and the appointment of an expert staff for a group of schools to move from school to school to give instruction to the school teachers. For an agricultural country such as India the main aim of the Industries Department should be to develop industries which besides helping towards aboriginal uplift, would be useful to the cultivator. The reply was particularly in favour of encouraging the making of spare parts of agricultural implements such as plough shares, plough shafts, axles, rings etc. now all bought from towns. It also pointed out

that nearly all the hemp grown on a large scale in parts of Wardha was exported raw to other parts of India whence ropes, halters, etc., made from this raw material were re-imported into the district. Thus there was a real scope for a rope-making industry in Wardha.

(c) *Chanda* pointed out that the Maria Gond of the district did a great deal of basket-making, but though the baskets were excellent, the lack of markets meant that the maker earned practically no profit. The Divisional Forest Officer had been endeavouring to get the Chanda and Ballarshah collieries to place orders with him for their coal baskets, so that he could supply them at cheaper rates. The local aborigines were however already so skilful in basketry, match-making and bamboo-craft that they would gain little from instruction. It was therefore recommended that a carpentry school should be started at Allapalli at which as many Maria as possible should be trained in furniture-making and sawing timber, with some simple arrangement for the co-ordination of supply and demand of other articles, which were already being manufactured by the aborigines.

(d) *Betul* considered that the local Gond and Korku could not be taught any trade, as even repairs of carts and agricultural implements were invariably done by other castes, for which purpose one or two families of Lohar, Basor, etc., had settled in nearly every aboriginal village, an instance was Kukru, in the Korku hamlet of which, occupied by 150 Korku, 2 Basor had settled who made and sold baskets and *tatta*, these Basor employed the Korku villagers to cut and cart bamboos from the neighbouring malguzari forests.

(e) *Chhindwara* reported that the only aboriginal industries capable of further improvement locally were basket-making, from *mahul* creepers which were abundant in the jagirs, rope-making, bee-farming, preparation of catechu, rug-making, simple carpentry for agricultural implements, tile and brick making, and preparation of mats from *moya* grass.

(f) *Jubbulpore* considered that nothing could be done usefully, the only known aboriginal industry was iron-smelting in the south of Mandla. Aborigines would not weave, as the industry was in the hands of the Panka.

(g) *Saugor* said that the only local aboriginal industries of any importance were dairy-farming and charcoal-burning; it would be impossible to start weaving.

(h) The *Hoshangabad* answer, for which I was responsible, said that there was little sign of local aboriginal cottage industries except the making of baskets and bamboo mats by the Basor, who was really an aboriginal menial, a good deal could be done to improve basketry by introducing colour and pattern and new shapes and sizes. It emphasized the lack of carpenters in the district outside the towns, although in many villages in the interior excellent carved doorways could be seen in many houses, which, according to the

aboriginal villagers were carved by their grandfathers. Caste prejudice was very strong even amongst the aboriginals against crafts associated in their minds with menial classes. The Hoshangabad Gond regarding basketry as a task fit only for low castes such as Basor and the Bastar Gond weaving as a job only fit for Mehra and brass-work for Ghasia. But these low caste artisans being an essential feature of aboriginal life anything that helped them would help in the improvement of the tribal areas. I advocated therefore the improvement of carpentry and the making of rope and *nisar* and suggested the possibility of improving the quality of rope made from local hemp.

(i) *Nimar* thought that nothing could be done for the Korku without first improving his standard of living and so overcoming his dislike of work. Government should therefore, concentrate on improving agriculture and methods of marketing timber. The Korku should be taught sawing and provided with carts at present nearly all these sawyers were imported from Gujarat and Marwar.

(j) *Mandla* suggested that the prejudice amongst aboriginals against handicrafts could be overcome, instancing the fact that the Patpara Mission had introduced basket making in its school and that in a short time the class had become almost self-supporting. Brass and iron work were out of the question and weaving was despised by the Gond as a menial occupation. the industries most needed were tailoring and carpentry.

(k) *Balaghat* thought that the local aboriginals could only be taught basket and rope making.

(l) *Bhandara* suggested instruction to aboriginals in cottage industries connected with forest produce (basket mat and cane-work and carpentry) a beginning being made with training classes in basketry at each tahsil headquarters or at Sakoli only if more could not be done. there was a big and growing demand for baskets from orange-growers in Bhandara and the surrounding districts especially Nagpur for the export trade and the baskets at present turned out were poor and not strong enough adequately to protect the fruit on long journeys.

(m) *Drug* doubted whether the making of baskets and grass brooms the only local Gond industries could be improved.

(n) *Bilaspur* thought the only local aboriginal industry which could profitably be developed to be basket making and manufacture of other articles from bamboos with a very little training the local aboriginals would soon improve on their present crude methods and produce beautiful articles like those that were made by semi wild tribes from bamboos in Burma. weaving offered no scope.

(o) *Raipur* spoke of the weaving at Garaband in the Bindra Nawagarh zamindari which was being carried on under the direction of the Weaving Superintendent but pointed out that the work was all being done by Koshias that the

local aboriginal refused to take to weaving, and that the prejudice was so strong that it would be years before it would begin to dissipate. There was some basket-making, but only enough to supply local needs, and the distances were such that export of baskets to towns would make their prices prohibitive. Mr. Yadu, Extra-Assistant Commissioner, who had been for some years Manager of Bindra-Nawagarh, had suggested only the making of cart-wheels and rope-making from hemp and *mahul*.

(p) *Amraoti* quoted the Divisional Forest Officer (Mr. Maitland) to the effect that the only local aboriginal industries were basketry and other bamboo work, which were capable of improvement with expert advice. Another field for development was the use of hand-saws and the making of small wooden articles, to which the main hindrance was the apathy of the Korku and not the lack of expert advice.

(a) *Akola* pointed out that the aboriginal population was very small and that the only present industry was basketry. This could be improved, but marketing would be difficult. The only new industries possible were weaving, blanket-making and perhaps tanning.

(r) *Buldana* reported that nothing was possible for the small number of aboriginals in the district.

(s) *Yeotmal* considered that the only industries worth attention were the industries based on forest produce such as basketry and furniture-making; there was no scope for weaving.

301 The enquiry resulted only in the start of a carpentry and basket-making school at Allapalli in the Sironcha tahsil of Chanda District, and a basket-making school at Deori in the Sakoli Tahsil of Bhandara District. In the latter school 10 students a year are trained and receive monthly stipends of Rs. 2-8-0. They are admitted in two batches of five each in June and December, and on completion of the course are given a free set of tools costing about Rs. 2. No long course is possible or necessary because as soon as they have learnt enough to earn Rs. 5 or Rs. 6 a month they leave the school. It has been recommended that this school should be made permanent. I have not been able to see it nor is it clear how far the pupils are aboriginals. The Director of Industries has not been able to tell me whether the 1935 suggestion that special attention should be paid to the production of good baskets suitable for the orange export trade has been followed up, but I am afraid that nothing has been done. A small carpentry school started at Allapalli in 1935 soon came to an end, starved for funds (Sir Francis Wylie noted once that it had been kept going for some time by a donation of Rs. 100 made by the Deputy Commissioner from his own pocket), while the basketry section was said to have failed because the Maria was reluctant to make whole cane baskets of the type that were required by the manager of the coal mines at Ballarshah who was prepared to place a very large annual order on liberal rates. Sir Francis desired this whole question to be reconsidered and a scheme started at Allapalli and at Supkhar for a forest village school with a small hostel attached to it where the few boys could live on stipends in charge of the master,

and a skilled carpenter with a regular shop to teach in the carpentry and basket making school the stipend holders in the hostels were to learn reading writing and arithmetic in the school and carpentry and basketry in the workshop. Provision has now been made for such a school with the aid of the recent Government of India grant of Rs. 1,00,000 for the amelioration of the aboriginals and there is every hope of the scheme taking effect early in 1942-43. Provision has been made also on similar lines for carpentry schools at Tamia in the Chhindwara jagir Garhi in Balaghat and Sunpuri (under the aegis of the Bhumijan Seva Mandal) in the Dindori Tahsil of Mandla. What is most needed in the backward areas is elementary carpentry and ability to make and repair agricultural tools.

302 I noted in my Balaghat Report paragraph 129 that nothing had been done by the Co-operative or Industries Departments to foster any of the cottage industries dealt with in the report of the Provincial Industrial Survey Committee of 1939 such as oil pressing dairy keeping guava production bee-keeping cotton and kosa silk weaving sheep-breeding carpentry blacksmithery bamboo work rope-making poultry farming lac work and minor forest industries to which I added organised carting and syndicates of villagers for taking forest contracts. The matter is mentioned again in the section on the Co-operative Department*.

303 This question of basket making needs better organisation. There is aboriginal prejudice in some parts now against basket work largely because it has come to be associated with the Basor, whom the Gond and Korku are apt to despise as menial. The case of Kukru village in Betul mentioned in the 1935 correspondence summarised above is somewhat typical of the way in which occupational castes such as Basor settling in an aboriginal tract gradually establish in the mind of the local public a right to something approaching an exclusive monopoly of its occupation even though as at Kukru in the case of basket making the local aboriginal had for generations made his own baskets. Touring in Betul I found that many Korku still themselves make bamboo matting and baskets and bring them to the bazars for sale. In paragraph 62 of my Mandla Notes I quoted from Mr. Elwin (*The Baiga* page 80) to the effect that the Mandla Baiga had almost lost their income from bamboo work partly because of an agitation by the Basor who claimed that the Baiga were infringing their caste rights so that many Baiga now made baskets and mats only for their own use. Nevertheless the amount of bamboo and basket work done still by the Maria the Baiga the Binjhar the Korku the Gond and other aboriginal tribes is great. Baskets of various sizes shapes and designs are one of the principal articles that may be seen being brought to the markets by aboriginals in Chanda Bastar and First Raipur in Sarangarh State at the weekly bazar in the capital magnificent specimens of baskets in brightly coloured patterns are brought for sale by Sawara Khond and other aboriginals. Apart from mere baskets there are innumerable varieties of beautifully designed and made fish traps and boxes. Aboriginals



FIG 13 Muria Carpenter using adze, Bastar Raipur border



FIG 14 Agaria forge Bahar Tah il

even though they tend to stick to traditional designs are quick to appreciate varieties and one of the most interesting things that can be seen in Mr. Elwin's house at Patan in Dindori Tahsil is the keenness with which the local Gond, Baiga and Agaria examine and comment on the various specimens of tribal manufacture that he has gathered there from other parts of India. Though basket-making should have its practical side and should endeavour to meet demands of industries such as orange export and coal and manganese mines, yet it should never be forgotten that the aboriginal has his own traditional skill and delight in colour and pattern. Mr. A. H. Parry, till recently chief representative at Parasia of Messrs. Shaw Wallace & Co., the managing agents of the Pench Valley Coal Colliery, informed me that the consumption of baskets locally made and costing from 8 to 12 to the rupee, runs into a few thousands every month. They are purchased by the contractors or by miners themselves. The average basket lasts for only a week or two, according to the conditions of its use. A better quality basket, if well woven close enough to hold fine coal without it falling through when being carried, would find a ready sale at higher prices if its extra life more than compensated for the higher price, but a virtue of the locally made basket is its lightness—a factor that is important to the miner and might cause a prejudice in its favour as against a better and heavier article.

301 The making of ropes, baskets, bamboo traps and boxes and other objects from jungle leaves and fibres are all things that should find a place in the curriculum of the ordinary school in aboriginal villages or semi-forest areas. For one thing it should be possible to employ local aboriginals to teach the children such subjects, and a good deal of the prejudice against school-going would disappear when the aboriginal thus began to feel that the school teaching bore some relation to his environment. Commenting on recent schemes for carpentry teaching in backward areas, I have criticised the proposal to supply the pupils on leaving school with tools of European manufacture or style. They need tools which they can get repaired or replaced by the local blacksmith, especially the Agaria in the areas of Mandla, Baihar and Chhattisgarh where he still is found, or elsewhere by the so-called Gond Lohar or Maria Lohar. The point is important. In time also it may be possible by the appointment of one or two travelling instructors to do something to improve the quality of the Agaria iron and the Agaria methods. The matter is fully treated in Mr. Elwin's forthcoming book on the Agaria, and I endorse the recommendations there made.

305 The budget and staff of the Industries Department is small and little progress can be made if the department relies only on specialists trained in modern methods. The important thing to remember is that the aboriginal is extraordinarily backward in simple carpentry and ways of making and repairing the implements and products that he needs for his daily life. Subsidizing decent *mistris* of the ordinary artisan type to settle in villages and teach their art to the local Gond, Baiga and Korku for four or five years in one centre and then for a similar turn in another centre, and so on, would produce quicker and cheaper results than anything tried in the past.

D—Co-operation and Rural Credit

306 The Chapters on loss of land debt bond service and the preceding sections of this Chapter emphasized that the main economic need of the aboriginal apart from protection from loss of land and from exploitation by the moneylender and the travelling seller of goods on credit is an alternative source of cheap credit. As he also needs protection against contractors and against the rapacity of the proprietor who seeks to set at naught the provisions of the Tenancy Act in regard to tenants' ownerships of trees and their produce clearly also he needs an organisation of his own which will be able to undertake minor forest produce contracts and the marketing of his agricultural poultry and dairy produce and in return supply him with cloth salt spices and his other simple needs at cheap rates. He must also be helped to find the money needed to finance his marriages births funerals and the other ceremonial and social expenditure which the social and cultural habits of his tribe require him to meet. These social and cultural habits are not bad. They help to secure the social cohesion of the community and to preserve its dancing and poetry and all that is distinctive in the old tribal culture. Of the influence of marriage customs on tribal poetry no one can doubt the value who has read the fine collections of aboriginal songs in such books as *Songs of the Forest* by Shamrao Hivale and Verrier Elwin and *The Blue Grove* by Mr W G Archer ICS. There are many specimens of Baiga songs reproduced in Elwin's *The Baiga*. Any organisation that aims at the betterment of the aboriginal should not lightly regard the ceremonial obligations of the aboriginal as something evil and to be discouraged. On the contrary these relics of their distinctive culture need fostering and encouraging for it will profit the aboriginal no more than any one else to gain the whole world but lose his soul. It is in these ceremonies with their combination of song and dance mutual obligations linking families from one generation to another and encouraging village solidarity by the tradition of all families in the village combining to help one family to perform its ceremonies and meet its obligations that the soul of the aboriginal is expressed.

307 It must also be remembered that as before implied in this report in many parts of the province the aboriginal has not yet accustomed himself to money currency but regulates his life by grain transactions receiving his wages in kind, even in parts of the province bartering grain for cloth and groceries. Co-operative Societies and grain depots or seed unions keeping their accounts in cash run counter to this mental attitude which for a backward community struggling to keep its feet against the forces of the modern world is not an unhealthy attitude. Seed for example if borrowed from or through a co-operative society or seed union should be accounted for in kind and repaid in kind and this should apply also to taccavi loans for seed from Government.

308 I agree almost entirely with what is written on this subject by Mr Symington in his Report on the Aboriginal and Hill Tribes of the Partially Excluded Areas in the Province of Bombay. These recommendations I took as the main text of the questionnaire which I issued on the subject of co-operation in

aboriginal areas I reproduce here the extract of paragraphs 29 to 37 and of recommendations 14 to 19 taken of that Report which I issued with that questionnaire —

* * * *

“29 In the Partially Excluded Areas in West Khandesh there are in all 37 Bhil societies, and their financial position is bad. They are in fact mostly stagnant. Since August 1936 there has been a special officer of the grade of sub-auditor for the Bhil societies in these talukas. Twenty of the Taloda societies were registered in his time, but their position is already becoming unsatisfactory. The co-operative movement has not advanced beyond the experimental stage in these areas, the number of societies and members being negligible compared with the credit requirements of such a large tract. Moreover the results so far attained have been far from encouraging. The whole idea of co-operation and joint liability is something beyond the grasp of jungle folk like the Bhils, and the procedure to be gone through in the framing of byelaws, registration, election of office-bearers, purchase of shares, annual meetings, etc., etc., is alike outside the scope of their comprehension and of their interest. A perusal of ‘the Ten Main Points of Co-operation’ at the end of Chapter IV of the Co-operative Manual will illustrate my meaning. I quote no 7 ‘The duties of the general meeting of the society are to appoint a managing committee and a secretary, annually to consider the balance sheet and the audit notes, to ask the committee questions about its work and to pass orders on any faults that come to light’, and no 10 ‘Always remember that though the Registrar audits and warns, the members are themselves responsible for the working of their societies. Government is not going to manage the societies for them. If they want them to succeed, they must see to things themselves’. Even in the case of ordinary cultivators of the Presidency these instructions have proved to be somewhat ahead of the times, in the case of Bhils they are laughable. A still more important reason for their lack of enthusiasm is the delay and formalities attendant upon obtaining loans. Under the present system so many precautions have to be taken against loss—albeit ineffectual in the long run as the number of bad debts shows—that it takes months for a loan to be sanctioned. The Bhil cannot wait months. What he wants is small advances to meet his current needs from time to time *paid on the nail*. These he can and does get from the sowkar. Moreover the sowkar does not ask a string of awkward questions about the object of the loan. If the Bhil wants Rs 2 or Rs 3, the sowkar does not ask if it is to buy seed or to spend on drink to celebrate the birth of a son, and if he is fairly sure of his man he will give him the loan promptly. The ordinary primary credit society as at present constituted is unable to meet such demands, and even in the case of loans for legitimate agricultural purposes delays of two to four months are the normal things to expect. Again, the sowkar naturally is bitterly opposed to the Co-operative Societies, and he does not scruple to use the whole of his enormous influence over the Bhil, including bribes and threats, to seduce members from their loyalty to the societies. Before doing so, however, he will commonly first induce his clients to borrow up to the limit of their capacity from the society and make over the money to him in part payment of old debts.

in kind—to meet requirements as they arise including reasonable requirements for ceremonial purposes. Steps should be taken to see that cash advances are spent for the purposes stated.

(d) The above loans should be made on the security of the next succeeding harvest and should not exceed a prescribed percentage of the reasonable expectations of that harvest. The grant of these loans will constitute an extension of the principle of the Thana grain depots to commodities other than grain.

NOTES—(1) Long term loans e.g. for land improvement would however be recoverable over a period of years and perhaps would be better granted in the form of *tagat*.*

(2) The aboriginal will not be able to borrow in excess of his ability to pay as he does now. He may protest against this as a hardship but actually it will be his salvation.

(e) Every village of importance and every group of five to ten minor villages should be provided with a produce depot to be the property of the society. Cultivators who have taken loans on the security of their crops should be bound to bring into these depots a sufficient part of their crops to meet their obligations. In addition encouragement should be given to everyone to dispose of his produce through this agency whether he has taken a loan or not. A large proportion of the food crops deposited in the depots will be retained for reissue to borrowers. The other produce including cotton could either be sold to merchants without being removed or provided a better return could thereby be effected it could be transported to the nearest market.

Each depot would require an accountant and should be equipped with scales and measures. When the system develops *pukka godowns* will be necessary.

(f) The village officers as in Thana district should be made responsible for seeing that borrowers deposit their produce at the depots. This will ensure easy recoveries as is the case with the Thana district grain depots, and greatly strengthen the credit of the societies. Not only will the society have first claim on the crops raised by means of its advances but it will no longer be lawful for the sowcar to make recoveries in kind at all. He will be bound to await payment in cash after the Bhil has sold his crop either through the society or if he so desires and the society has no claim in the open market. The revenue authorities besides effecting the society's recoveries should be charged with the duty of preventing the unlawful removal of crops by or for the benefit of outside persons. An increase in the subordinate revenue staff will be necessary.

(g) I do not suggest that this organisation could or should be managed on strict co-operative lines since I do not consider that Bhils are capable of understanding the ideas of co-operation and past experience shows that their societies have been mismanaged and are full of irregularities. The management of the societies' affairs and the authority to grant loans should in my opinion rest in officers of the Government. In order to impart instruction in co-operative dealings however and to keep alive interest in their own business affairs I consider that the Bhils might in course of time be made to join the societies as members—membership carrying certain privileges—although the usual

restriction on the number of members of primary societies cannot be adhered to, and to elect local committees. These committees should be called upon to advise and help the officials of the department in such matters as the location of depots, and the quality or kind of goods which should be purchased for supply to members. They should not have any financial responsibility or liability, and should be purely advisory. It will at once be apparent that this scheme is very far removed from a co-operative society or union as these are at present conceived, and registration under the Co-operative Societies' Act would presumably be impossible even if it were necessary.

(h) Again, although I consider that if revenue department officials are made responsible for recovery work, the security of the advances will be very good, it is nevertheless doubtful whether the Provincial Co-operative Bank would be able to provide the initial finance. It will probably be necessary for Government to make this provision as a recoverable advance under Provincial loans and advances.

(i) The management and direction of this scheme should be vested in the Co-operative Department. Although not a co-operative undertaking in the strict sense, its administration will involve operations, such as the preparation of credit statements, co-operative marketing and purchase of supplies, etc., with which that department is best familiar. The village revenue officials will act as collecting agents, and will also supply from their records to the Society Officers much of the information that will be necessary for assessing each applicant's credit.

(j) The volume of work will be very great. Whether it will reach its full dimensions over a period of years or almost immediately depends on the energy and determination with which the new restrictions on moneylending are enforced. Half-heartedness or half measures in this direction would allow a breathing space in which measures to evade or disobey the new law might be devised, and the whole operation might be hampered or delayed.

"35 An accurate forecast of the scale of work to be undertaken is impossible, but I believe it will be something of the following nature. It is calculated by the co-operative societies that the present average value of the agricultural produce of a Bhil's land in this district is Rs 17 to Rs 20 per acre, and the cost of cultivation Rs 10 to Rs 15. The estimate of outturn seems to me rather conservative, but that is perhaps a fault on the right side. The area of land held by Bhils in the partially excluded areas is 272,032 acres. After allowing for the Akrani mahal (34,293 acres) and very roughly estimating the amount of business which may be retained by the sowcars at, say, finance for 50,000 acres, the acreage remaining to be financed by the Society may eventually amount to approximately two lakhs. Provision for finance would therefore have to be in the neighbourhood of twenty lakhs. As against this the value of crops to be marketed on behalf of cultivators would be between thirty and forty lakhs. The handling of finance and produce on this scale, especially when the large number of intricate transactions is considered, will involve the employment of a large staff. Each branch of the Purchase and Sale Society must be under the charge of a responsible officer of a grade not lower

amongst other members and in these the number of aboriginal members was 1,871. In these areas 158 societies with aboriginal members and 109 other societies are under liquidation. Looking more closely into the figures it will be seen that co-operative societies with aboriginal members are non-existent or almost non-existent in the following Partially Excluded Areas —

Bhainsdehi Tahsil

Chanda Zamindaris

The Partially Excluded Zamindaris of Drug

Baihar Tahsil

Melghat Taluq

310 Figures are not given for the Chhindwara jagirs but I understand that there are no societies there. Even in the Satgarh zamindaris there are only 278 aboriginal members of 41 societies but none of these societies are under liquidation. In Mandla District there are 113 purely aboriginal societies with 1,231 members and 40 other societies with 243 aboriginal members but 46 societies with 216 aboriginal members are under liquidation. Dindori Tahsil has only 164 aboriginal co-operators. In more advanced areas such as the *khalsa* of the Chhindwara, Amarwara and Sausar tahsils of Chhindwara, Hoshangabad District, Nagpur District, those parts of Drug District which are not Partially Excluded, the Kelapur taluq of Yeotmal and the Waraseoni and Balaghat tahsils of Balaghat there are practically no aboriginal co-operators. The Registrar considers that to some extent the collection of old arrears from societies under liquidation has set the movement back amongst aboriginals but as it had hardly started in most aboriginal areas, this does not really much matter. There are no special types of aboriginal societies in the province such as tribal betterment societies. There are said to be ten aboriginal directors of central banks in the province who are not zamindars but they appear to be all taken from the substantial Raj-Gond hinduised section of the aboriginal population.

311 It is generally agreed that the aboriginal members of co-operative societies are for the most part honest and more regular in payment than other members provided that there is no crop failure or heavy ceremonial expenditure in their families. The Co-operative Department has not adopted any special line of work in the aboriginal areas but the organisation and methods adopted have been the same as elsewhere in the province. This is unfortunate considering that the degree of illiteracy and inability to understand simple accounts and such things as the famous ten main points of co-operation at which Mr Symington tilted are much greater amongst aboriginal than other peoples of the province. Special methods of approach and supervision are clearly needed in these areas. But the Registrar states that no special study has been made of methods for extending co-operative societies in aboriginal areas. No Assistant Registrar or Circle Auditor can speak Gondi or korku, the only Gondi speaking officials in the Department are one organiser in Mandla District and one in Seoni Sub-division while two Society Inspectors in Nimar have a smattering of korku. The Chhattisgarhi dialect of Hindi is spoken fluently by three officers who work as organisers, it is also suggested that all Assistant Registrars, Circle Auditors and organisers know the local Hindu dialects which are generally

understood by the aboriginals, but I am very sceptical about this answer, I have yet to meet one who can speak, for example, the Bundhelkhandi dialect prevalent in the north. No special training is given on aboriginal conditions or in methods of propaganda amongst aboriginals to co-operative officials who are to work in aboriginal areas. But, as observed in my *Mandla Notes*,—

“Propaganda is an art needing training, and neither our Circle Auditors nor our Inspectors have any such training. Nor does the Department train in rural sociology or psychology, much less aboriginal, the Circle Auditor, e.g., had no idea of the usual expenditure on Gond marriages, funerals and other ceremonies.”

312 The Registrar considers that the chief reasons of the very slow progress made amongst aboriginals by the co-operative movement are their illiteracy and backwardness, their low repaying capacity and lack of transferable assets, the great distance of aboriginal areas from the headquarters of banks, their general inaccessibility, the consequent difficulty of organisation and supervision of societies, the difficulty, where, as is generally the case, aboriginal villages are small and far apart, of finding ten suitable neighbours to combine in a society, and lastly the overwhelmingly hostile competition of the moneylender. If the measures that have been recommended in the chapters on debt and bond-service are adopted, this last major obstacle can largely be overcome. The difficulty arising from the small and scattered nature of aboriginal villages is, I think, somewhat exaggerated, as there are many large villages, for example, in Dindori Tahsil, in the whole of which there are only seven societies with aboriginal members. The distance of aboriginal areas from bank headquarters is a difficulty if the movement in these areas is still to be directed on the same lines as in the plains. Even so the difficulty is not insuperable, compare the account of recent organisation of new societies in the Shahpura-Niwās tract of Mandla in paragraph 92 of my *Mandla Notes*. The mention of low repaying capacity and lack of transferable assets again perhaps overlooks what might be done if members could market their crops through co-operative societies instead of having to enter into unfair contracts to sell their produce to their moneylender at rates fixed by him in the way described in paragraph 232. Mr Rege does not consider that the restrictions on transfer of ryotwari holdings, *malguzari* and tenancy rights or the general working of the ryotwari system (with, e.g., in certain areas, reservation of land for aboriginals) cause any special difficulties in the way of co-operative societies as far as short-term loans for seed, manure, weeding expenses and the like are concerned, but intermediate loans for such purposes as buying bullocks, constructing wells and embankments, and long-term loans for redemption of debt and land improvement can only be secured by mortgage of land. There is no real difficulty even then if the mortgage is in one of the forms permissible under the Land Alienation Act, while transfers to other aboriginals would be unobjectionable. Mr Rege thinks that notwithstanding this security difficulty the restrictions on the right of transfer of property are so much in the true interest of the aboriginal that they should not be waived, so that at present the only loans that a co-operative

society should grant to aboriginals should be small loans for current needs longer term loans being granted in the form of taccavi by Government if necessary. This overlooks the difficulty of financing aboriginal marriages. Moreover as we have seen one of the main sources of debt in aboriginal areas in recent years at least has been taccavi. Would it be possible for taccavi to be advanced to co-operative societies instead of to individuals?

313 Nothing has been done by the Co-operative Department in any of the aboriginal areas of the province to foster any of the cottage industries dealt with in the Report of the Industrial Survey Committee 1939. I suggested, somewhat optimistically that persons answering my questionnaire might particularly consider oil pressing *gur*, honey production spinning and weaving of cotton and *kosa* silk sheep-breeding, carpentry blacksmith's work mat and bamboo-work rope making poultry farming, lac work and collection of forest products for drugs and medicines carting as an industry and organisations of local labour for forest contracts. no replies offered any useful comment. But in all these directions there is hope for the aboriginal given the staff and the Government assistance over initial expenditure. This province is however so lacking in resources for financing new expenditure that it would be wise to concentrate whatever is possible in one area first for four or five years and get societies there really organised as running concerns. Any big aboriginal organisation for carting or forest contracts would have to be run permanently by a salaried staff, and to prevent the staff cheating the members constant supervision by Co-operative Revenue and Forest Officers would be necessary. In the alternative it could be provided in certain areas that all minor forest produce should be sold only to the Forest Department at rates to be approved by Government. practically speaking this would mean departmental management of minor forest produce as well as of major. The Registrar ended by admitting that practically nothing is being done by the Co-operative Department for village betterment in aboriginal areas beyond holding occasional rallies for propaganda.

314 It should be mentioned further that in the province there are 17 seed unions managed by the Agriculture Department with a working capital of Rs. 12,221. They are said to have made a profit of Rs. 3,089 in 1939-40. There are 21 better living societies but the Registrar does not think that any of them are doing useful work. Only six of the nine multi purposes societies of the province are working their working capital is Rs. 1,440 and the profit during 1939-40 was Rs. 279. six managers paid by Government are in charge of these societies. One society started financing its members on the security of grain and two other societies have undertaken sugarcane potato and vegetable cultivation. Their other activities are adult education digging manure pits rotation of crops and planting fruit trees. These are new developments with great possibilities. The province has also 30 purchase-cum sale (stores) societies with a membership of 1,832 and a working capital of Rs. 79,599. There are five co-operative dairies in the province but of these only the Telankheri dairy at Nagpur and the Jubhulpore dairy are working properly. The Registrar considers that apart from grain

stores the only co-operative institutions likely to succeed in aboriginal areas are purchase-and-sale societies as suggested by Mr Symington or, better still, general stores-*cum*-sales depots such as have been started by the Madras Government in the East Godavari Agency and in the Chenchu tracts of Kurnool District. Appendix K contains the notes on these Madras measures which were circulated with my questionnaire on co-operation. The 1940-41 Madras "Report on the Material Conditions and Progress of Aboriginal Tribes and Very Backward Communities" mentions that during the year the Thrift and Loan Co-operative Society of Indireswaram referred to took up the lease of two fuel coupes in the Kurnool West forest division, but the members did not fully exploit the coupes. The Atmakur Chenchu Co-operative Purchase-and-Sale Society worked at a profit in 1941-42 and again contracted to supply tamarind, galnuts and bees-wax to the jails. It has undertaken the construction of a big godown and has been given by Government a loan of Rs 10,000 for further expansion in 1941-42. On the other hand the co-operative sales-*cum*-stores depots in the East Godavari Agency have been dropped for the following reasons given in the correspondence attached to the Madras Report:

"The opening of co-operative sales-*cum*-stores depots is supposed to ensure a better return for the produce collected by the hillmen and thus prevent them from being exploited by the sowcars and to secure for them articles like salt, cloth, kerosene and other necessities of life at their proper cost. A similar scheme sanctioned by the Government in their Order No 258-Development, dated 3rd February 1940, for the departmental purchase and resale of tamarind, was tried at Rampa Chodavaram by the Forest Department as an experimental measure. But the scheme proved a failure as the hillmen did not resort to it to the extent expected. The sowcar has a powerful hold on the hill people. What the Koya needs is immediate cash and advances for various purposes like marriages, funerals and festivals. The sowcar, who has long experience of the mentality of the Koya, gives him the advance only to take it back doubled in a variety of ways. The hillman believes the sowcar implicitly and is not educated enough correctly to understand the intention of the Government. As the scheme started by the Forest Department did not work well, my predecessor considered that even the sales-*cum*-stores depot scheme would not meet the case. The Government too have since held in G O Ms No 268-Development, dated the 12th February 1941, that the scheme is devoid of the essential principles of co-operation and is in effect to get the hillmen to collect the produce and sell it compulsorily through a Government agency. They have therefore directed that the scheme should be dropped."

That such a scheme is devoid of the essential principles of co-operation seems to be a poor reason for dropping it. I have seen something of the power of the moneylender in the Godavari valley both in Bastar State and in the adjacent parts of Warangal District, and Dr C von Furer Haimendorf, who has recently written a study of the Hill Reddi villages on the Hyderabad bank of the river, has made some striking revelations of the thralldom in which the Madras forest contractors have bound the Hill

Reddi and the Koya Departmental working should have greater success in this province where our Forest Department has already learnt the ropes to the betterment both of the provincial revenues and of the aboriginal who is thereby freed from the forest contractor Mr Rege is in favour of stores-cum-sales depots being tried I quote from his opinion

The store-cum sale depot is also a type of purchase and sale society and its object is to sell the produce brought by the members and to supply their domestic requirements out of the sale proceeds. As no financial help will be forthcoming from the *sahukars* and central banks which can finance only regular registered societies Government will have to finance them. It is needless to stress the point that much of the success of such organisations would depend on the co-ordination between the revenue forest and co operative departments. The depots should be organised at suitable centres within easy reach of the aboriginals the area of operations of each depot being about five to ten miles. The village depots should be linked up with a central depot at the tahsil headquarters. These depots can be converted into regular co-operative societies after a few years if necessary. These depots should be placed under the control of a whole-time Government official who may be an auditor of the Co-operative Department but the general responsibility for running them should rest with the Revenue Department which will sanction loans effect recoveries and bear the management expenses.

I recommend that this be attempted around Allapilli in South Chanda in the Melghat and in Baihar Tahsil in the first place

315 I attach most importance at present to the starting of grain depots precisely on the lines advocated in the extract reproduced above from Mr Symington's Report. Nothing is so vitally necessary for the aboriginal as a store of seed grain. I would even allow him from such depots after a time advances of grain for wedding and funeral feasts spreading recoveries of grain in such cases over a longer period. Mr J C McDougall CIE IAS in considering what could be done for the aboriginal cultivator has particularly stressed the desirability of such seed stores and of the distribution and recovery of seed loans in kind. His remarks on the subject are so important that I quote them in full

There is one point in connection with the seed distribution arrangements in aboriginal tracts about which I am in grave doubt and that is whether any system of distribution on cash payment is ever likely to be a success. In my opinion nothing appeals less to the aboriginal than having to pay cash for anything. I therefore think that it would be necessary to introduce a system under which advances in the form of seed would be repayable in kind after harvest. This would add considerably to the work of the *Jamailars* in charge of the seed stores and make the necessity for increasing the staff still greater. Frequent trouble would arise as regards payment even in kind particularly in bad seasons and Government would have to face the possibility of losses arising but I think the system would be well worth a trial.

There may be losses, but Government will have to face them in order to get the scheme started and to keep it going. An important thing is that the accounts should be kept in grain and not in rupees, annas and pies.

316 In this questionnaire the scale of current expenditure on aboriginal weddings was enquired. The Registrar's summary of the replies was that it varies from Rs 15 to Rs 150, though in the cotton tract of Burhanpur Tahsil in Nimar the expenditure is said to range from Rs 300 to Rs 100, expenditure on other ceremonies is said to vary from Rs 4 to Rs 25. The Conservator of Forests, Western Circle, from his enquiry bases the average cost of a Gond marriage at Rs 100 and of a Korku marriage at Rs 250, and says that death ceremonies vary in cost from Rs 10 to Rs 20 and birth ceremonies cost on the average Rs 50. It is this expenditure that is the main source of the moneylender's power, and if co-operative societies will not help, then their members will have to go to the moneylender. Whatever form of co-operative purchase-and-sales societies or departmental purchase of minor produce be organised, some system of thrift is essential. In other words each member must be made to put by something of his profits against future expenditure. Grain depots on the Bombay model will also contribute to this end once the Government loan for the initial costs is paid off. Once however the power of the moneylender is effectively checked in the aboriginal tracts, he himself will cease to be willing to give out such large sums for marriages, and this should automatically reduce the demand for such advances. Everything depends upon the betterment of the aboriginals' economic position by ensuring that he gets an adequate wage for his labour, whether for a private employer, or the Forest Department or the Public Works Department, and adequate prices for his crops and the jungle produce that he collects. Cattle also he must have, but here co-operative societies would presumably be readier to help than they have been over social expenditure. A more rational policy of stock-raising in backward and semi-forest areas should also help considerably in this direction.

317 I have spoken in this section of "aboriginal societies". I would repeat however what I have said in paragraph 125 of my *Balaghat Report* —

"I do not advocate the formation of exclusively aboriginal societies, but only of some co-operative institutions open to all the villagers of all communities in predominantly aboriginal areas such as Baihar, where, owing to the preponderance of aboriginals in the population, most of such institutions could not help being chiefly aboriginal, and where hitherto nothing has been done. The task set me by Government is to examine the measures needed to improve 'the condition of the aboriginal tribes in the Province, particularly in the Partially Excluded Areas'. But I would make it clear here that nearly every thing that I advocate for the Gond, the Korku, the Baiga and the Bhil is necessary, if not always in the same degree, for all the castes and tribes of the backward areas, save in so far as, because of greater backwardness, inferior economic conditions or linguistic difficulties, there are problems peculiar to the 'aboriginal'. Nevertheless,

the fundamental principle of co-operation being combination to overcome economic and social difficulties an organisation in which most of the members belong to one social community may have a greater chance than others of succeeding in backward areas where tribal feelings of brotherhood or community-consciousness remain the mainspring of society

CHAPTER X—PUBLIC HEALTH AND MEDICAL RELIEF

[Terms of reference (a)]

'Sickness has come to the village.

From every house they have carried out a corpse.

Do not weep my sisters do not weep

Comfort your hearts. After this life of two days is past,

We must travel onward alone

And everyone must tread the same path."

(A Pardhan Karma Song from Mandla No. 283
Songs of the Forest Elwin and Hiwale)

318 A typical picture of health conditions in a Partially Excluded Area is given in paragraphs 74 to 84 of my *Notes on the Aboriginal Problem in the Mandla District* Since that was written money has been found for the start of anti venereal work around Patan and Karanja for which a medical officer has been specially trained His training and the work are being financed from the central grant of Rs 1 00 000 for the amelioration of the aboriginals The same grant (unfortunately no widow's cruse) has financed the first year of a much needed campaign against yaws amongst the Gond and the Maria of South Chanda As an example of the difficulties which beset attempts to help the aboriginal it may be mentioned that in 1936 a dispensary was opened at Bhamragarh in the Maria country on the banks of the Indravati largely with the idea that this would be a centre for yaws treatment It was found in November 1940 that the reason why practically no patients were attending was that the Assistant Medical Officer posted there was demanding a fowl and eggs from every Maria as a fee for each injection Before the present campaign some anti yaws work had been done but it had been haphazard and unplanned and no attempt had been made to ensure that each patient took the full course of injections needed for a permanent cure At all my camps in the Maria country patient after patient came in for treatment and as the Sub-Assistant Health Officer deputed to accompany me on tour for yaws work was travelling in my lorry and had to stop at every village we passed through to treat yaws patients our arrival at camps was often delayed till very late in the evening These Maria villages all have excellent human material At one time an attempt was made to start a boy scout movement with some success Some of the boys were taken to a jamboree at Delhi where one of them told me that he had been very impressed by the Kutab Minor which he thought was nearly as impressive as the factory chimney of the Allapalli saw mills! The abiding lesson however that the boy had learnt from his scout training was personal cleanliness and he had passed this on to the



FIG



FIG

FIGS 15 & 16 Baiga villagers of Basanpani, Jubbulpore
Tahsil, worshipping at the Cairn of the Dead Ancestors, at
the opening of a new Government well, water drawn from
the well was among the offerings made at the Cairn and at
the shrine of each village godling

younger boys in the village even when the local scout organisation had long melted away. At Jharawandi, Jharapapra and Aundhi and intervening villages along the Bastar border many villagers complained of the Provincial Government's lack of care for the Chanda and Drug villager in comparison with the anti-yaws and other public health work in the Bastar State villages just over the border, a comparison over which I could take some pride so far as Bastar was concerned, but could only feel shame at the realisation of how comparatively little had been done for the Maria by this province with its infinitely greater financial resources. Yaws work has also now been started, again from the same central grant, in the north of Bilaspur district, as a result of my Mandla tour.

319 A scheme has also been worked out for a nutritional survey, again to be financed from the central grant unless provincial revenues can come to the rescue. A nutritional survey of aboriginal areas seems to me an essential requisite for effective planning of agriculture and public health work. The fitter a man is, the greater his nutritional needs, and conversely the less satisfactory his food, the weaker he is. A classic example of the ignorance of nutritive values is, as already observed, that in the past the Agriculture Department neglected the highly nutritive small millets, *kodon*, *kutki*, *kangni*, *sama*, *mandia* and the like, and advocated their replacement by rice, which is less nutritive even when hand-milled. Then again the diet of the aboriginal unspoiled by contact with the man of the plains is extremely varied, with flesh of animals from the rat to the tiger, and with great numbers of forest fruits, roots and tubers. One of his first reactions to the arrival of the schoolmaster, the patwari, the forest guard, the moneylender and the bazar shop-keeper is a tendency to look down upon these many products that lend variety and savour to his traditional diet. We also encourage him to introduce new vegetables and fruits, are we sure that what we are advising is better than what he is already using and that it might not be sounder to try improving the forest fruits and roots to which he is accustomed and which are accustomed to his climate and soil? It may well be also that in the variety of his food may lie some nutritive salvation for the sophisticated villager of the plain. Mr Hyde has sent an extra-ordinarily detailed list, *given him by Mr Hivale, of the things eaten by the Gond of Mandla, which shows how wide a scope there is for nutrition research in the backward areas. Again, the commonest abusive or tolerant comment on the aboriginal by the official, Indian or British, and the non-aboriginal living in his midst is that he is lazy and avoids work or has no staying power. This is certainly untrue when the work is congenial, witness the immense industry involved in *lewar* cultivation. Yet in some localities there is much in it, and their diet may be a contributory cause, though in a recent tour in Balaghat district with Colonel J B Hance, C I E, O B E, I M S, the Inspector-General of Civil Hospitals and Director of Public Health, Dr Aykroyd of the Nutritional Institute at Coonoor saw surprisingly few signs of under-nourishment and both he and Colonel Hance thought that the

*See Appendix L at the end of this Report

appalling malaria incidence was entirely responsible for the charge of laziness. This brings us to the next point that the curse of the aboriginals throughout the province is malaria and the lessening caused by it of the power of resistance to other illnesses. The province though the most malarious in India abolished the special malarial branch of its Public Health Department on the score of economy some years ago. A strong anti-malarial service should be regarded as almost a first charge upon Government funds in this province particularly in the backward areas.

320 Mr A N Mitchell I C S, remarked about the Chhindwara jagirs that the main need of the local aboriginal was not an active betterment or uplift policy, but the provision at his door or as near as possible of medical and veterinary relief. Commonly it is said that the aboriginal will not take to modern medicines and that if you plant dispensaries in his midst he will not make use of them. I have no doubt that the case of the Bhamragarh dispensary mentioned would soon have been quoted as evidence in support of this view if the real reason for the Maria's failure to make use of it had not been discovered. For long there has been a prejudice against the touring of the Assistant Medical Officers in charge of dispensaries in backward areas whether on the score of expense or because it was believed that aboriginals would not take advantage of his presence in their villages. I disproved this by experience in Bastar where before a new dispensary was established the doctor was posted to tour in the locality with the result that from the moment that the dispensary started work it was crowded on every bazar day and accommodation for in patients soon had to be provided. My experience in the South Chanda tour already mentioned in this chapter confirms me in the view that there is here no difference between the aboriginal of this province and of Bastar State both hail with real appreciation any medical relief brought to them. The problem is not so much the willingness of the aboriginal to come to the touring doctor as the unwillingness of the average doctor to tour in what he regards as aboriginal *kala pani* country. That is why in almost every district if one analyses in detail the tours of Sub Assistant Health Officers in charge of travelling dispensaries one finds them so much confined to the main roads and railways or to the villages with a large non-aboriginal element. It is human nature after all. The aboriginal areas are backward and unhealthy and there is no society for the young doctor suddenly sent out straight from the Robertson Medical School into the wilderness. It should be recognised that the work is hard and conducive to ill health and either the pay of travelling doctors in such areas should be much higher than it now is or they should be posted for only six months at a time to them. While there they should have a comfortable permanent headquarters where they can leave their families and to which they can return for some home comforts at intervals during the touring season. This underlies the policy of combined travelling *cum* stationary dispensaries which Colonel Hance and I have pressed upon Government asking for an allotment for five or six such dispensaries now to be met from the same central grant.

321 Another useful line of approach is that which is being tried in the aboriginal tracts of Mungeli Tahsil in Bilaspur by the Disciples of Christ Mission Hospital under Dr V C Rambo. The Mission organises a medical team to do regular and systematic tours of the aboriginal areas to treat malaria, venereal diseases, leprosy and minor illnesses. The programme for each tour is made known ahead in the villages that are to be visited. Of the kind of work undertaken by the team let this extract from a recent letter from Dr Rambo speak —

“The physical condition among the Baigas, as I saw it, was a pathetic one. There was much itch and ringworm. We came across some leprosy. There appeared to be more yaws than I remembered seeing some years ago. We noted a good deal of gonorrhoea and syphilis. Malaria is the great scourge. In one village I found 13 children, *all* of whom had enlarged spleens. I asked where the boys and girls between 13 and 18 were. The villagers answered that they had died. In this same village a little over half the houses were occupied. In another village *ten out of eleven children had enlarged spleens*. Here again there were no adolescents. I realized that these adolescents might have been out of the village, or hidden from fear, but on investigation found that there just were no children of those ages there. Apparently these children who are weak from chronic malaria have a heavy mortality, and large numbers of them do not reach adolescence. Perhaps this is due in part to a meat deficiency arising from the influence of Hinduism. I call your attention to Mr V Elwin's Baiga who said killing a cow was the greatest sin. Constantly being shamed by Hindus for keeping and eating pigs and chickens is still further reducing their vitality. A vegetarian diet may well lead to a further degree of physical degradation, especially among growing children and adolescents. In speaking to an official of Kawardha State, I heard that the population of the Baigas is becoming less from year to year. I do not know the census figures, but this official was in contact with the Baigas and this was the impression that he had.”

The same central grant recently helped this work with Rs 500 for medicines, and any monetary assistance given to such humanitarian work organised by missionary doctors is money well spent. It may be that tours by teams might do something to overcome the dread of loneliness which seems to deter the average Sub-Assistant Health Officer from touring in the remote interior.

322 Dr Rambo's eminence as an eye surgeon lends special force to his repeated plea for legislative action against the quack treater of cataracts, the “coucher”, whose cruel handiwork is responsible for almost more loss of sight than cataract itself in the backward areas.

323 The dispensary map of the province still shows the biggest gaps in the most backward areas. These are slowly being reduced, but provincial finances will not stand indefinite multiplication of permanent dispensaries. The backward areas have never been as well supplied with medical relief as the advanced

areas though any neglect of public health in the backward areas must react upon the advanced areas also. The time has come when no Government grants should be given for more town dispensaries until what is necessary in the backward areas has been provided. There is much force in Colonel Hance's view that where existing local bodies (generally speaking municipalities) do not realise their responsibilities for providing medical relief and giving adequate funds to the local dispensaries for which Government provides paid doctors those doctors should be removed and their services used in areas where medical relief is the direct concern of Government. In the healthier towns it might be suggested that the municipal committees should be expected to meet a part at least of the pay of the medical officers in charge of dispensaries.

324 I conclude this chapter with an article by Colonel J B Hance. I have discussed the questions involved with him so often that I know that our views on the medical and public health needs of the aboriginal are almost identical. I emphasize that public health work is the important thing and that nothing could have been more fatal than in pursuit of economy and retrenchment to abolish separate civil surgeoncies in aboriginal districts such as Mandla and Balaghat which really need not only a separate Civil Surgeon but an equally qualified District Health Officer.

The Health Problem of the Aboriginal Tribes [by Colonel J B Hance CIE OBE MD MA BCh (Camb), FRCS (Edin.) LRCP VHS IMS]

325 The health problem of the aboriginal tribes may be summed up in two words—medical relief.

Whereas in the more settled parts of the province most of the inhabitants are within reasonable distance of some form of medical attention and communications are reasonably adequate—in some cases even easy—the tracts inhabited by the aboriginals consist mostly of thick forest in which communications are difficult and in the monsoon almost impossible. Such dispensaries as there are are situated very far apart in cleared and comparably settled areas. The sick aboriginal therefore stays where he is and mostly lives, dies or spreads his disease without let hindrance or help.

326 The diseases affecting these people are comparatively few. Such of them as survive to adult life are sturdy, wiry folk comparatively well nourished (except in times of famine) and many of the affections to which humanity living in more civilized conditions is heir pass them by. Infant and child mortality is appalling but those who survive this critical period grow up hardy and resistant to many of the common diseases.

327 The main health problems of the aboriginals are afforded by malaria, venereal diseases and skin diseases which are common in approximately the same degree in all aboriginal areas. In addition there are local problems such as yaws in the southern areas adjoining the Bastar and Orissa borders and in northern Bilaspur and to a lesser extent leprosy in Mandla and northern Bilaspur.

"328 Of these malaria is incomparably the greatest problem. To this disease alone is attributable the heavy infant and child mortality. Its distribution is coterminous with that of the aboriginal tribes, and the nature of the terrain puts any systematic anti-malarial measures almost out of court on the grounds of technical difficulty and expense. So great is the difficulty that up to the present it has been held by some that the only practicable measure is the distribution of sufficient quinine to tide the individual over successive attacks, especially in childhood, until he has developed the degree of immunity which is usually produced in those who survive. This is confessedly a counsel of despair which, although to some extent justified by the inherent difficulties of the problem, cannot for a moment be accepted by a live and progressive health policy.

"329 Large scale anti-larval measures involving major engineering works are out of the question, on economic grounds, in any foreseeable future, moreover such measures bring in their train considerable climatic and kindred changes which should be carefully studied before works are undertaken. Short of this, however, two lines of attack of proved value remain —

1 Measures against mosquitoes in the larval stage by the villagers themselves

All authorities are agreed on the desirability and necessity of the spread of education among aboriginals, and there is similar unanimity that this education should be closely adapted to the needs and habits of the people themselves. Included in this education should be elementary instruction in public health, and especially in malaria, which should in the beginning be supported by controlled experiments in groups of villages, until the practical results of this instruction become apparent. Such education should include the draining of stagnant pools, the canalisation of nullahs in the immediate surroundings (half a mile radius) of the village and the deliberate fouling with cattle dung or "herbage-packing" of all collections of water which cannot be drained and which are not used for human drinking purposes. In water so fouled anopheles mosquitoes will not breed.

2. Attack with insecticides upon the adult carrying mosquito in the houses and cattle sheds of the village itself

The most hopeful development in rural malaria work has been the discovery of the insecticidal properties of pyrethrum and the successful cultivation of this chrysanthemum in India. Experiments with pyrethrum by Russell in the Madras Presidency and Charlewood and Kalaya in Coorg have given results which are little short of revolutionary. The former was able to control malaria in a hyperendemic area on the Cauvery delta by spray killing of adult mosquitoes alone at a cost of Re 0-5-0 per head per season. The latter two workers carried out similar measures in selected police and forest lines in Coorg where water-logging made anti-larval measures practically impossible. In one season they reduced the incidence rate among the forest

and police personnel from 75 per cent to under 33 per cent and the writer is informed that subsequent figures of incidence and reduction in spleen rate are equally striking. Further so evident were the effects of this measure that the surrounding villagers petitioned for their adoption in their villages. This was done in selected villages with equally striking results the villages not selected serving as controls. The villagers have become thoroughly convinced of the efficacy of the measure which has now been adopted in suitable localities to an extent which is limited only by the capacity of budget provision.

330 Although the increasing scale of pyrethrum cultivation will result in a progressive fall in price, it is unfortunately the case that only in few of the aboriginal tracts is its cultivation likely to be possible for climatic reasons. Experiments are however in progress at the Central Malaria Institute to test the insecticidal properties of lantana oil. Should this prove successful there will lie at the door of the aboriginal a plentiful supply of insecticide and the experience of Coorg makes it likely that he will not be slow given controlled demonstration to appreciate its benefits.

331 Here then are two promising lines of attack upon the malaria problem of aboriginals involving measures which he can himself employ and dependent only upon intelligent instruction and demonstration.

332 *Venereal disease*—This is a problem of far greater difficulty since once such a disease has been introduced into the tribes by their contact with so-called civilisation their habits and customs are such as to facilitate its spread and prophylaxis presupposes a standard of intelligence and education which is not likely to be achieved by the tribes in any but a remote future. It is therefore to curative treatment that we must look for the answer to this problem and the best means of providing such treatment is not yet obvious nor is it likely to be ascertained without lengthy experiment by trial and error. A beginning has been made with the establishment of a venereal clinic under a specially trained officer at Patan in the Mandla district by Government with the active co-operation of the Bhumiyan Seva Mandal. Two obvious lines of approach are possible—

- (1) That the clinic should be static and its patients come to the centre for treatment or
- (2) that the clinic should be peripatetic moving systematically from centre to centre.

In both the varieties the obvious difficulty is that of the adequate follow up of cases and only experience will decide the best means of overcoming this difficulty. This experience being gained it should be possible greatly to increase the scope of anti-venereal treatment. The expense involved is considerable but the diseases concerned are social diseases in that they compromise the health of future generations. The aboriginal tribes are a direct responsibility of Government and the writer sees no alternative to its assumption of the responsibility.

"333 *Skin diseases*—These are mainly diseases of dirt and personal contact and their eradication, given a plentiful supply of cheap curative ointments and lotions and propaganda as to the value of water and, where possible, soap, should present no great difficulty

"334 Of the special diseases, yaws and leprosy, the former is now, none too soon, the object of intensive and systematic attack, and given the necessary continued provision of personnel and funds, this should result in the early eradication of the disease. Here again the cost, largely that of the necessary medications, is considerable, but, as in the case of venereal diseases, the responsibility is inescapable

"335 *Leprosy*—This disease is said to be on the increase in the affected areas. Reliable information as to its type and distribution is not as yet available and is an indispensable preliminary to a systematic attack. On the analogy of the leprosy in the remainder of the Province its type is probably relatively mild. As in other localities, its control is dependent upon two main measures, the isolation and treatment of lepers of the infective type and the removal from contact with the disease of children of leper parents. A very useful beginning has already been made by the Bhumijan Seva Mandal in the Mandla district and invaluable pioneer work is being done by the missionary authorities at Mungeli. But, as was emphasized by the Central Advisory Board of Health, the control and arrest of leprosy is the primary responsibility of the Government concerned. What therefore is required is a detailed and accurate survey of the disease in the aboriginal areas affected, the provision of treatment colonies for lepers of the infective type, and an intensive propaganda, by their own leaders, on the necessity of the protection of children from contact with the disease. Owing to war conditions the necessary measures have inevitably to be postponed for the present, but it is hoped that Government will realise both the urgency of the problem and its responsibility, and institute them at the earliest practicable moment after the cessation of hostilities

"336 Summarising a brief review of the main health problems of the aboriginal tracts has been given. One predominant requisite to adequate approach is common to all—the bringing of health relief (both preventive and curative) to the actual villages and door-steps of the people themselves. In order that this be done a large increase in the health staff employed in aboriginal areas is necessary, and it is the writer's conviction that this could be rapidly and justifiably provided by removing Government personnel from the service of recalcitrant local bodies, where their services are neither financially supported nor apparently appreciated, and their employment in the aboriginal areas. But it is no use multiplying the numbers of subordinate health personnel without their adequate supervision. This entails the restoration of Civil Surgeoncies in those aboriginal districts such as Mandla and Balaghat where they have been abolished, and the regulation of their duties so that by continuous and adequately extensive touring they can not only exercise the necessary supervision but, by taking with them the requisite equipment, bring the aboriginals into contact with skilled high class modern medicine and surgery."

CHAPTER XI—EXCISE POLICY AND ADMINISTRATION IN ABORIGINAL AREAS

A good person once said that where mystery begins religion ends. Cannot I say as truly at least of human laws that where mystery begins justice ends?

BOOKS—*A Vindication of Natural Society*

337 Excise policy in the backward areas of the province has known many vicissitudes. The changes are bewildering even to the student—how much more must they have bewildered the unfortunate aboriginal who first was free to get or make his outstill liquor where he would and then saw the steady restriction of the area of licit outstills accompanied by strange internal excise boundaries on each side of which the price of the new and unpopular distillery liquor differed often its colour also, and peculiar rules which made it an offence for a Gond who lived on the dear side of the imaginary boundary line to bring home liquor bought cheaply beyond the line. Conceived originally by the first British administrators of the province as a means of weaning the aboriginal from drunkenness and that desperate economic slavery to the Kalar liquor dealer which we have seen in various passages in the preceding chapters (see for example paragraphs 138-139 and 205 above) to have been one of the early causes of his economic degradation the excise policy of the Administration undoubtedly did much to save him from that thralldom but in the end its growing complexity and the fact that its mainspring ceased to be the welfare of the aboriginal and became the Hindu and Muslim aversion from strong drink made it a burdensome and oppressive drag on aboriginal life. Heavy fines for illicit distillation or smuggling from bordering States or from outstill or low-duty areas into high-duty areas and tribal fines for the disgrace of house-search by Kosor or non-aboriginal excise subordinates or of handcuffs and Jail desolated village life and drove the aboriginals in their anxiety to pay these fines back into the clutches of the Kalar or other moneylenders to rescue them from whom had been an avowed object of the original policy. But first let us have a summary of the policy and its development and working as depicted in official sources paragraphs 338 to 348 are taken nearly *verbatim* from a note kindly given me by the Excise Department.

338 When the territories included in the Province first came under British management it was found that the right to levy fees on the manufacture of country spirit was leased out to the farmers of land revenue as miscellaneous revenue. Under British rule this system was discontinued but at first the change was only carried so far that the monopolies of manufacture and vend were sold to farmers who were not necessarily at the same time contractor for the land revenue collections. These farmers found it to their interest to stimulate consumption by selling liquor at a cheap rate and in as many places as possible. There was no restriction on the number of stills or of shops. The result was wholesale drunkenness particularly among the Gonds who were described as being 'liquored off the face of the earth'. In the words of Sir Richard Temple—

the vice of drinking seemed to threaten the gradual deterioration of some of the lower and less civilised classes of the community

339 The Central Provinces Administration then introduced the farming or the outstill system whereby the number of shops or stills which a contractor might erect or open within the area of his monopoly was restricted. At first this system was uniform all over the Central Provinces and no attention was paid to the different economic conditions obtaining in the different parts of the Province. This system was subsequently replaced by what was called the Sadar Distillery System. Under this system the licensees of retail vend areas were required to distill their liquor in a distillery building situated at Sadar (district headquarters) or to purchase it from others who distilled it there, and to pay a duty on the liquor removed as well as a fee for the right of vend. This system was later on displaced by what is called the Contract-Supply or Madras System, whereby the manufacturer is barred from selling in retail in his area, and retail vend licenses are sold by auction to licensees who obtain their supplies from the licensed manufacturers on payment of the prescribed issue price. Of the three systems described above, the outstill system had to be retained in all the remoter tracts of the Province where communications were bad and in places where there was a demand for a weak and cheap form of liquor.

340 In 1904 an Excise Committee was appointed by the Chief Commissioner to investigate and suggest improvements in the excise system of the province. The committee considered that the outstill system had led to unrestricted drinking. Although some measures had been taken to check this by limiting the number of stills and the fermenting capacity of vats, they had been inoperative because of the enormous areas of jungle with insufficient control and large facilities for illicit distillation. The Committee did no direct investigation of conditions in backward areas, but quoted from various district reports. Thus Mr Gaskin, the Deputy Commissioner of Betul, wrote —

“The reduction of the outstill area is desirable in the interests of the people. Liquor is largely consumed by the aborigines in the jungly parts of the district, they become perfect slaves to the habit and in turn to the Kalar who supplies them. The effect of this is most pernicious. It forbids all progress and all extension of cultivation.”

Mr Low, the Deputy Commissioner of Balaghat, wrote —

“Nothing could be worse than the present state of affairs. Crime is far from heavy, but the very high proportion of it due to liquor is a most unpleasant feature. A rape case, a manslaughter case, a murder case, several heavy assault cases and accidental deaths in large numbers have occurred from drink. Consumption of liquor in jungly tracts is enormous. Some system is wanted which will double the price of liquor.”

In these circumstances the Committee recommended that the consumption of the tract should first be estimated and the size of the still should be accordingly fixed. The fermenting vats should be likewise limited so that it might be impossible for more than one still charge to be ready in a day. Then an upset or reserve price for the area attached to the outstill representing a fair duty per gallon on the liquor so produced should be fixed.

The Committee further recommended that these proposals should be applied to the following tracts —

- (1) a block of very jungly country to the north east of the province including the Dindori *tahsil* the Bichhia circle of Mandla part of the Kundam circle of Jabulpore and the northern zamindaris of Bilaspur with a small portion of the reserved forests lying between them
- (2) the remaining outlying zamindaris of the Chhattisgarh division with some portion of *khalsa* territory that is inter mixed with them defined as follows —

Raipur — All the zamindaris with the exception of Gun derwahi and all the non zamindari *khalsa* area to the east of the Mahanadi with the exception of Kasdol and Rajm tracts and Sunjari and Durgahan tracts of the Dhamtari *tahsil*

Bilaspur — The Sonakhan block

- (3) all portions of Chanda District to the east of the Wain ganga river together with the adjoining Chichgarh Rajoli and Kakori tracts of Bhandara District
- (4) the portions of Nimar District which lie across the Narbada or are separated from the rest of the district by Indore territory
- (5) the portion of Hoshangabad District between Makrai State and the Berar boundary

The excise administration of all the zamindaris in the above tracts was then under the control of the zamindars so far as country liquor was concerned. These zamindars paid dues included in their *takoli* or tribute in acknowledgment of the fact that they exercised these rights only as agents to Government. The actual resumption of control by Government started from 1903-04 at least in the zamindaris of Chanda District. As a result of these changes stills were reduced by six in Balaghat 202 in Chanda, six in Chhindwara and two in Hoshangabad while the number of shops was reduced by 274 in Chanda 44 in Bilaspur and four in Hoshangabad. The replacement of the Outstill System by the Sadar Distillery or Contract Supply systems was enforced wherever it was considered feasible. In 1905-06 there were outstills in the districts of Chanda Chhindwara Betul Balaghat Bhandara Raipur Bilaspur Drug and Mandla 1244 in number serving 3037 shops and paying Rs 740800 license fees. In 1920-21 outstills survived only in 1151 square miles of Chanda in 218 square miles of Chhindwara in 2,385 square miles of Raipur in 285 square miles of Drug and in 3,362 square miles of Mandla or in 7401 square miles in the whole province they had been reduced in number to 106 serving 223 shops which paid Rs 99064 license fees. In addition to the reduction of area etc under the outstills the fermenting capacity of vats was restricted and license fees in certain districts were levied according to the daily outturn of liquor at a still. For instance in Mandla District a licence fee of Rs 200 a year was imposed on a shop which had fermenting vats of 54 gallons capacity. The general principle underlying these changes was reduction of consumption of liquor in aboriginal areas by increasing the price of liquor without making it prohibitive.

341 The year 1920-21 was marked by a change in policy. Excise had under the Montagu-Chelmsford reforms become a transferred subject administered by a Minister responsible to the Legislative Council. The Government accepted the recommendation of the Legislative Council to stop the sale of country liquor throughout the province. In enunciating the policy the Minister (the late Mr N K Kelkar) qualified it by declaring that prohibition would be the ultimate goal, the means to attain it being progressive restriction by progressive enhancement of the issue price rates of country spirit. This policy was applied also to the backward tracts. The contract supply system was introduced rapidly wherever it was possible. On account of the increase in the issue price rates and closure of a large number of shops there was a heavy fall in consumption in all the backward tracts, and by the year 1923 it was noticed that in the backward tracts of Chhindwara, Mandla and Betul Districts illicit liquor was beginning to replace licit. Duty rates in the province were enhanced from rates varying from Re 0-15-0 to Rs 12-13-0 per proof gallon to rates varying from Rs 1-4-0 to Rs 17-8-0 per proof gallon. Consumption of country spirit fell by 12 per cent. In the annual administration report for the year it was suggested that this new policy of the Government was accepted by the aborigines in the backward tracts of Chanda, in the plateau districts and in Chhattisgarh, but it was also pointed out that the aborigines who were numerous in the plateau districts were heavy drinkers. They were ignorant and credulous. When they accepted the policy they knew that it was a conflict between their natural desires and social pressure.

342 By the year 1924, the primitive outstill system continued only in 4 districts, in 1,151 square miles of Chanda, 2,385 of Raipur, 285 of Drug and 2,506 of Mandla. The contract supply system had been introduced in most of the areas inhabited by aborigines. Issue price rates had been increased from Rs 1-9-0 to Rs 6 per proof gallon, except in Mandla and Bilaspur Districts, while consumption decreased steadily in urban areas by 69 per cent and in the less developed tracts by 84 per cent and by 76 per cent. In the backward tracts the fall in consumption was less pronounced. The reason for the less rapid reduction of consumption in these tracts was that the price of licit liquor was not allowed to exceed the paying capacity of the aborigines. The issue price rates were, however, high enough to drive them to illicit sources of supply. The number of illicit distillation cases detected during 1926 as compared with 1925 were —

District	1935	1936
Nagpur	44	147
Bhandara	78	120
Chanda	72	103
Seoni	92	130
Mandla	312	385
Betul	357	353
Chhindwara	335	501

The heavy punishments inflicted on illicit distillers were already driving aborigines to illicit distillation in the depths of forests remote from their homes, and the difficulty of detecting the

offence steadily increased. The Government resolution on the Excise Administration for 1926 considered that in the best interests of temperance it would be unwise to force the pace unduly and to raise the price of licit liquor beyond the paying capacity of the habitual consumers until the social and economic conditions of the people in such tracts became more favourable for the introduction of such measures.

343 By 1933 it appeared that the new policy of the Government had failed. Illicit distillation of liquor was rife in every part of the province—urban, rural and backward alike. The number of cases detected increased from 439 in 1919-20 to 3,745 in 1933. The Commissioner, Nagpur Division, in forwarding the annual administration report of the Nagpur district observed—

I am of opinion that the retail price of country liquor is still too high in the poor aboriginal tracts such as Betul, some parts of Chhindwara and a large part of Chanda. The fact must be faced that aboriginals who are in the habit of taking liquor will not be deterred from doing so by reason of high prices. They would merely be diverted from licit to illicit liquor. The nature of the country in which they live makes the effective suppression of illicit distillation impossible. With reasonable selling prices it might be possible to effect an agreement with the people that they should refrain from illicit distillation.

In the provincial report for the same year the Excise Commissioner remarked—

Not the least of their grievances is the prohibition policy of Government regarding which they were never consulted. For in many clans the use of liquor in the worship of their tribal Gods or in the performance of their ceremonial dances is time honoured and indispensable.

In its resolution Government stated that it felt that the time had arrived for taking careful stock of the situation and considering if there was no alternative to the policy of gradual and ultimate prohibition adopted some years before at a time when the welfare of the primitive tribes which form an important section of the population was deservedly receiving more attention than in the past. The revision of the present policy was deemed to be necessary.

344 From 1935 accordingly issue price rates of country spirit began to be reduced in all the various areas of the province. In February, 1934 the question of the moral and material elevation of the aboriginal tribes in the province was raised by Government and the Commissioners of Divisions and the Settlement Commissioner were asked to examine both the legislative and the administrative measures needed. Their opinion concerning the excise policy to be followed in these tracts were printed in a booklet by the Separate Revenue Department. Fifteen out of the nineteen Deputy Commissioners recommended that the outstill system should be re-introduced in the areas occupied by the aboriginals; the other four considered it unnecessary in their own districts (Drug and Chanda) to increase the existing outstill area or to introduce outstills (Saugor and Bhandara).

345. In 1935 a Committee was appointed by Government to review the working of its excise policy. The recommendations dealt with the policy to be adopted in aboriginal and other backward tracts. In the Maria tracts of the Chanda district the Committee concluded that the Maria were a drinking population who for festivals, marriages and worship needed home-brewed liquor. They recommended the further extension of free tapping licenses for domestic consumption of toddy, especially for villages inhabited by Maria Gond. The Committee recommended elsewhere the re-introduction of the outstill system as a first step in regaining control over illicit distillation in backward areas. In introducing the outstill system the following restrictions were recommended —

- (a) A limit should be fixed on the maximum quantity of liquor distilled at each outstill
- (b) Middlemen should be eliminated from the liquor trade in the aboriginal areas
- (c) Licenses should, if possible, be issued to headmen or other aboriginals who undertake to run outstills in their villages
- (d) Further control should be exercised by limiting the amount of *mahua* which each licensee is permitted to use

The Committee expressed the view that there was considerable scope for the introduction in these areas of a specialised form of excise administration in consonance with the needs and the economic and social development of these peoples

346 The outstill system was therefore again expanded in 1935, when 497 square miles in Mandla District were converted into an outstill area, raising the total outstill area in the province to 4,740 square miles. In 1936 it was extended in the districts of Mandla, Chanda, Raipur and Drug and re-introduced in the Betul, Chhindwara, Balaghat, Bilaspur and Jubbulpore districts. The total outstill area thus increased to 19,000 square miles. In 1937 the area was further extended by 6,375 square miles in the districts of Chhindwara, Jubbulpore and Raipur, raising the total to 25,375 square miles. But in 1938 an examination of the situation (which in my personal view was perfunctory and far from complete) was held to indicate that the experiment had been carried too far. It was considered advisable to revert to the old anti-outstill policy, and accordingly the outstill system was abolished in its entirety in the Chhindwara, Betul, Jubbulpore and Bilaspur districts, and curtailed considerably in the remaining districts. In 1939 it was abolished in Balaghat District, and by 1940 it survived only in 1,151 square miles of Chanda, with 8 stills and 14 shops paying Rs. 2,108 licence fees, in 223 square miles of Raipur with six stills and six shops paying Rs. 6,375 licence fees, in 285 square miles of Drug with six stills and six shops paying Rs. 1,242 licence fees, and in 2,588 square miles of Mandla with 43 stills and 104 shops paying Rs. 48,471 licence fees.

347 In 1937 the new Congress Ministry decided to introduce immediate total prohibition of country liquor and toddy. Government recognised however that in the aboriginal tracts the

pre requisite of the success of any such policy viz social opinion against drink was not only lacking but was replaced by social and religious sanctions in favour of drink. It therefore proposed to exclude tracts inhabited wholly or largely by aboriginal castes and tribes from the purview of the new policy. The districts of Mandla Betul and Chhindwara were thus to be wholly excluded and also well defined tracts of several other districts e.g. the zamindari portions of the old Chhattisgarh districts the Baihar tahsil of Balaghat a large part of Chanda District and the Melghat tahsil of Amraoti District.

348 *Toddy*—The Maria Gond of the Sironcha tahsil of Chanda had been enjoying the exclusive privilege of tapping all kinds of palm tree without making any payment on account of duty. The Excise Committee of 1904 recommended the exemption of Maria Gond from all taxation of toddy manufactured for domestic consumption and the operation of any rules requiring licenses for its manufacture or possession in certain *khalsa* and all zamindari villages except those in which in the opinion of the Deputy Commissioner there was sufficient demand for toddy from other communities to justify the opening of a toddy shop. To restrict consumption it was further recommended that the licensing system should be introduced for domestic consumption. At present free tapping licenses for domestic consumption are issued to certain scheduled villages inhabited by Maria Gond. They are issued for a period of three years. The number of trees to be tapped is restricted according to the population of the village and the number of trees available for tapping. This system obtains only in Chanda District.

349 The first thing clear from this review is that there has for years been no consistent policy over excise arrangements in aboriginal areas with the possible exceptions of the Melghat where duty rates and prices have continued to be high of parts of South Chanda where outstills continue and the Maria still are allowed free licenses for tapping the *carolis urens* palm and of some Drug and Raipur zamindaris which retain the outstill system. Melghat conditions are a legacy of the days before the Todhunter Committee which commented on the fact that there were then no shops at all in the forest villages though the forest area and population were then as now such large elements of the taluq area and population. This obvious temptation to illicit distillation was removed after the Committee's report and there are now in the taluq 3 shops in the Chikaldi tract one in the Katkumbh tract and 10 in the Dharni tract with consumption in 1939 of 650 2 381 and 683 proof gallons respectively despite the high retail rates per 8 drams of 45° U.P. liquor of 17 11 and 8 annas respectively. At one time (1925—31) the duties per proof gallon were as high as Rs. 21 14-0 Rs. 11-6-0 and Rs. 9-6-0 respectively but after the 1929 slump of prices of agricultural and forest produce consumption rapidly declined and duty rates had to be lowered since 1936 they have been Rs. 9-8-0 Rs. 5 and Rs. 3-12-0 per proof gallon in the three tracts but consumption is still far less than in the record 1921—26 period. Moreover the district authorities have wisely permitted the transport of country spirit within the prescribed limit of individual possession from the low duty area in the Tapti Valley of Betul District to 11 forest



FIG 17 Korku funerary tablet Pachmarhi

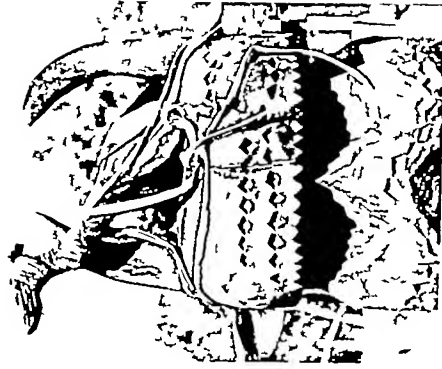


FIG 18 Top of a Maria hanal gutta funerary post Lahur Ahir Zamundan

villages in the Rangubeli tract of the Melghat. Illicit distillation is hardly known except for a few cases in Katkumbh tract, where Gond and Korku contrast the prices of 8 annas and 6 annas for 45° and 60° U P liquor which they have to pay with the much lower prices in the adjacent Rs. 2-8-0 and Rs. 1-14-0 duty areas of Betul District. Although the Korku of the Melghat uses liquor for many religious and social functions, such as his *sīdoli* feast for the erection of wooden memorial pillars (*munda*) to the dead, yet he seems to be reasonably content with distillery liquor, while the high wages which have accrued to him from departmental forest operations have enabled him to pay for liquor at rates which in other aboriginal areas would be prohibitive, and even to pay the yet higher prices in force at Ellichpur when he takes timber down to the market there.

350 But elsewhere changes have been kaleidoscopic, particularly where in recent years Government has chopped and changed its policy as to outstills. The Baihar tahsil of Balaghat is a bad case—here outstills were abolished in 1911-12, revived in 1936, 1937 and 1938, abolished for no sound reason in 1939 and are being revived in 1942. Or take Mandla District—the area there under outstills was 4,022 square miles in 1916, 3,637 square miles in 1917, 3,362 square miles from 1918 to 1920, 2,977 square miles from 1921 to 1922, 2,506 square miles from 1923 to 1924, 2,256 square miles from 1925 to 1927, 2,159 square miles from 1928 to 1931, and 1,474 square miles from 1932 to 1934, then in 1935 when the policy began to swing back to extension of outstills the area rose to 1,971 square miles, in 1936 to 3,496 square miles and in 1937 to 4,862 square miles, after which with the reverse swing of the pendulum it fell to 3,496 square miles in 1938 and 2,588 square miles in 1939 and 1940, the last reductions being ordered suddenly and against the advice of district officers and advisory committees. If space permitted similar figures for other districts and above all an analysis for all districts of changes of duty rates, retail prices, limits of possession, boundaries of duty areas, pass rules and so on, the results would be almost as bewildering to the reader as to their victims, the aboriginal drinkers.

351 The difficulty always has been to get a true picture of the facts of liquor consumption in backward areas. These are vast, full of forests and hills, with poor communications, an abundance of *mahua* trees and endless opportunities for illicit distillation. The number of shops has been steadily reduced by Government, and prices, as compared with wages and prices of grain, kept steadily rising. Liquor has, in the absence of sustained temperance propaganda based on a real urge for temperance as opposed to the temporary urge of passing political movements, remained essential for religious and social ceremonies and for all occasions when wine “maketh glad the heart of man.” Therefore my own view is that there always has been illicit distillation, its intensity varying with the availability and cheapness of Government outstill liquor, or with the success of any general movement tending to undermine the respect of the populace for the law. The Todhunter Committee quoted contemporary district officers in support of the view that the outstill system had

caused widespread drunkenness paragraph 340 above e.g. reproduces their quotation from Mr (now Sir E.) Low on conditions in Baihar Tahsil but the appendix to the report shows that Baihar then had 40 outstills each with three or four sub-shops so that facilities for drinking were everywhere available. Moreover the Todhunter Committee did not tour in or inspect aboriginal areas. I have in my *Balaghat Report* (paragraphs 27—45 and 72) shown what drunkenness there can be during festivals even now with outstills in name abolished but in fact existing illicitly in every other village. Has not this always tended to be the case? It is notorious in many districts as pointed out in paragraph 27 of my *Balaghat Report* that—

Illicit distillation is rife at the time of the principal aboriginal ceremonies and festivals. Any Excise Sub-Inspector can if he so wishes detect illicit distillation cases by raiding a village at festival time.

The Todhunter Committee itself noted that excise crimes were far more numerous than reported detection depending on the idiosyncracies of the District Superintendent of Police. In 1903-04 1,221 persons were prosecuted, with an extremely high number in Mandla, where liquor was cheapest and shops most numerous but the District Superintendent of Police was a terror to illicit distillers. So long as unwise restrictions dictated by the total abstainer make it almost impossible for the aboriginal to get liquor reasonably easily and cheaply when he needs it without sustained temperance propaganda excise crime and court cases must increase. Another such restriction is the closing of liquor shops on festival days. I wrote in paragraph 30 of my *Balaghat Report* —

The Tikaria shop was to be closed on the following day for the Diwali festival. Such a step is meaningless in aboriginal country where Diwali and other Hindu festivals are not necessarily observed on the astronomical date. If a liquor shop is closed either the villagers go to the shop drink heavily and bring more back to the village and thus spend more than if the shops were not closed or else they observe the festival on some other date when the shop is not closed. The third alternative is that if the villagers can not get liquor when they want it they make it themselves. The nominal closing of the shop on festivals observed chiefly at home is pointless. There is hardly ever any excise or police officer to see whether the contractor sells liquor on the forbidden day and no contractor refuses a bottle to a man who wishes to take it back to his village. In one way or another the excise policy still drives these Baihar aboriginals to illicit distillation and subterfuge and all this undermines the traditional truthfulness of the aboriginal.

352 The official reasons for the reversions in 1938 and 1939 to the supply system were that outstills had led to an orgy of drinking and produced a liquor that was very impure and had in one or two places actually poisoned its consumers. The latter obstacle is much exaggerated copper pots can be prohibited in stills distillers can be compelled to use doublers

between the still-head and the condenser to prevent copper contamination and other impurities, and, above all, stills can be regularly inspected by Excise Sub-Inspectors and wherever possible by Assistant Medical or Health Officers or Police Officers instructed to insist on a reasonable standard of cleanliness and sanitation. The "orgy of drinking" theory will not hold good if we examine the facts. Everywhere in the province the lawlessness induced by the political and anti-drink propaganda described in paragraphs 356--359 below, combined with the high issue prices fixed by Government in pursuance of the policy of gradual prohibition by making drink dearer and dearer and in the meantime of obtaining "the maximum revenue from the minimum consumption", had steadily increased illicit distillation, and the number of cases detected had risen from 351 in 1918-19 to 1,531 affecting 7,151 accused in 1935, and the consumption of supply system liquor from 1,011,819 proof gallons in 1920-21 to 317,820 in 1935 (it had gone down to 188,289 proof gallons in 1932, when 3,889 illicit distillation cases were detected). In Balaghat District when Baihar was brought under the outstill system in 1936 the fall in consumption of supply liquor was only 2,881 proof gallons. Separate figures of consumption for each tahsil for that year have not been given, but in 1939, the year when the outstills in Baihar were again abolished, of the total district consumption of 46,123 gallons Baihar consumed 29,961 or 65 per cent. On the same basis Baihar would in 1935 have consumed 12,870 out of the district total of 19,679 gallons, and the rest of the district 6,809 gallons only. The effect of the reduction of issue prices in Balaghat and Waraseoni in 1936 was thus to raise the consumption of licit liquor from 6,809 to 15,686 gallons. The reversion that year to outstills in Baihar can hardly have had less effect on the consumption of licit liquor, and if it rose in proportion, then some 32,250 gallons of licit outstill liquor must have been drunk in Baihar in 1936 and the total district consumption of licit liquor must have been about 49,000 proof gallons. When outstills were abolished again in 1939 the district consumption was 46,123 proof gallons. This figure is so close to the 1936 estimate that it is hard to see any grounds for this theory of reversion to outstills having caused an orgy of drinking. Looking at things the other way round, in 1939, on the abolition of outstills, Baihar, before the people had recovered from the sudden change and reverted to illicit distillation, consumed almost 30,000 proof gallons or licit liquor from Government distilleries and if this be added to the figure of 16,798 gallons consumed in Balaghat and Waraseoni in 1936 when Baihar was brought under outstills, the district consumption that year was 46,800 gallons. In reality the reversion to outstills probably reduced the consumption of illicit outstill liquor by at least 30,000 gallons but probably by more. In the first year of their revival detected illicit distillation cases fell from 262 to 76 in the whole district, but there were only seven in Baihar Tahsil, and four each there in 1937 and 1938. Since the abolition of outstills there has again been a rise in detections, from 124 to 150 in 1939 and 135 in the first nine months of 1940. The increase has been marked in Baihar, against six criminal cases in 1937 there were 11 in 1938 and 55 in 1939 in the tahsil magisterial courts. Detection in Baihar has always lagged far behind actual excise "crime",

in 1940 the District Excise Officer writes that illicit distillation is universal in the tahsil and the number of cases detected is no indication of its prevalence. My account in paragraphs 27—30 and 45 of my Balaghat Report of Diwali drinking in the tahsil shows the truth of this. To talk then of the reversion to out stills as having produced an orgy of drinking is completely wrong. Its effect rather was to minimise the temptation to distil *asli** liquor by making it procurable at a licensed outstill. It is not contended that this stopped illicit distillation but the great immediate and sustained fall in detected cases undoubtedly shows that it considerably reduced it. This would be a certain psychological consequence of the knowledge that one need not go to the trouble and danger of illicitly distilling one's own *asli* liquor for festivals or domestic ceremonies but could get it when and as required from licensed vendors without transgressing the law. Such chopping and changing of excise policy in an aboriginal tract as the revival of outstills in 1936 and their abolition in 1939 merely bewilder the aboriginal and encourage the impulse to lawlessness which is still in his mind, and will at once impel him to break the new form of the law if it does not commend itself to his way of life or his reasoning.

353 Balaghat District is not a special case. Let us consider Mandla. My own impressions of the position in that district are given in paragraphs 35—43 of *Notes on the Aboriginal Problem in the Mandla District*. I draw attention especially to the opinions of local officials and of Rev. Father Van Dorst in paragraph 38 about the universal revival of illicit distillation in Mandla Tahsil following on the recent reversion from the outstill to the supply system. The following extracts from a letter sent to me in September 1940 together with a copy of his excise proposals for 1941 by Mr E. S. Hyde I.C.S. the Deputy Commissioner summarise the present position —

The past history of excise administration in this district shows the devastating results of following a policy divorced from the habits, desires and conditions of the aboriginal people who form two-thirds of the population. These aboriginal tribes are in general peaceful and law-abiding. They are the most prompt payers of Government dues in this they contrast remarkably with the local Hindus who are bad defaulters on every account in land revenue, taccavi, miscellaneous taxes, co-operative bank payments etc. Gonds despite their relatively poor economic condition always pay the full amount of their land revenue in time the only co-operative societies which are not in default are those composed of aboriginal members. Yet it is these very people whom the excise policy of Government drives to crime. By denying them the kind of liquor they prefer, by pushing up the price beyond their means and by various forms of harassment the aboriginal tenant and labourer are driven to illicit distillation or smuggling.

Mr Hyde then quotes Professor J. B. S. Haldane I.R.S. to the effect that country liquor supplies many of the deficiencies in

*The views of the aboriginal on out still liquor and Government distillery liquor are clear from the fact that he calls the former *asli* (real) and the latter *kapla* (crude).

the ordinary grain diet of Indian villagers, and a speech made in the old Legislative Council by Mr C U Wills, C I E , I C S , to the effect that with Gonds *mahua* liquor is not merely a social habit, but an absolute religious necessity, and that while it is legitimate to interfere with the social habits of people, you should not touch their religious rites. To show then how recent excise policy has increased crime, Mr Hyde gives some typical figures —

“The Bichhia Excise Sub-Inspector detected 28 illicit distillation cases in the first eight months of 1940 as against eight in the similar period of 1939. Where the issue price was Rs 1-14-0 in 1939, illicit distillation cases as a consequence of raising the price have increased from 43 to 89 in the same period. In the area of Mandla Tahsil where the present issue price is Rs 2-8-0 there were only 13 illicit distillation cases in 1937, when all 14 shops were outstills. In 1938, as a result of conversion to the supply system the number of illicit distillation cases in this area rose to 73, on the eight months' figures for the current year (1940) it will reach 100 before the end of the year. Thus the policy followed has in three years resulted in an increase of over 600 per cent in crime. In the present Rs 1-14-0 issue price area of Mandla Tahsil there were 12 cases of illicit distillation in 1936 when the area was under the outstill system, in 1939 there were 75 cases, and on the first eight months' figures of this year I estimate that there will be about 104 cases by December 31st. The illicit distillation figures for Mandla Tahsil, which is at present wholly under the supply system, form an interesting and significant comparison with those for the outstill area, comprising the greater part of the district. In the first eight months of 1940 there were no less than 219 illicit distillation cases in Mandla Tahsil (there were 109 in 1939). Against this in the whole outstill area there were only five illicit distillation cases in the first seven months as compared with 10 in the same period for 1939. It is obvious from these figures that the present enormous increase in excise crime in Mandla Tahsil is purely artificial and is the result of our excise policy. These results are a complete condemnation of that policy. I would add one more note on this point. In inspecting the Mandla Tahsil courts I was appalled by the number of excise cases on the criminal files of the Tahsildar and Naib-Tahsildar. In 1936 and 1937, when the greater part of the tahsil was under the outstill system, the excise cases instituted in these two courts amounted to 16 and 17, respectively. If the current year's figures are maintained till the end of December, the same courts will have no fewer than 240 excise cases in 1940. Thus the time that these officers ought to be giving to the proper administration of the tahsil is employed in harassing and punishing the most peaceful and least troublesome section of the tahsil's population.

“To eliminate this unnecessary excise crime, two things are essential —

- (1) To ensure that supplies of licit liquor are made available to aboriginals at prices which they can afford, and

- (2) to supply them with the kind of liquor they want and not to try to force upon them a beverage which they dislike

On the first point throughout the greater portion of the supply system area the present price is more than the aboriginal villager can afford to pay. It is not generally realized that the wages of an agricultural labourer in close proximity to towns, railways and industrial areas are paid in kind and do not differ much from wages paid to labourers in the more jungly parts of the interior. The small aboriginal tenant and the agricultural labourer are thus seldom able to afford the relatively high price charged for liquor in the type of area indicated. To this problem it is difficult to suggest a satisfactory solution. One thing that can be done however is to ensure that where there are large groups of aboriginal tenants or labourers licit liquor should be made available to them at prices which they can afford if necessary allowing them to buy it at a specially favourable rate or restricting sales in a particular shop to such classes only.

With regard to the second point there can be no doubt whatsoever about the attitude of the Gonds towards the central distillery liquor. They do not like it, and they infinitely prefer liquor distilled in outstills. As long as we continue to flout their wishes in this respect illicit distillation will continue. Why should we force them to drink distillery liquor against their wishes? This seems to be an unjustifiable attack on personal freedom. There are probably good reasons for the aboriginal's preference for outstill liquor. One may be the malpractices which they say often occur with the distillery liquor, they complain of dilution with water. Another may be that there is greater food value in freshly distilled liquor both here and in Bastar State the aboriginal likes his drink fresh from the still, and such liquor may have advantageous qualities which distillery liquor does not have. Certainly it is not on account of strength as it is generally found that outstill is somewhat weaker than distillery liquor.

I have found no evidence for the allegation that the outstill system leads to increased drunkenness. Everyone I have consulted here has agreed that there is less drunkenness in Dindori where the outstill system prevails than elsewhere in the district. There is certainly less crime (penal code offences) in Dindori than in Mandla Tahsil. Excise Officers generally hold that more liquor is drunk where the outstill system prevails but here again one cannot be positive as it is admitted that outstill figures of consumption are generally unreliable.* However my Bastar experience makes me think that a reasonably efficient and controlled outstill system is the best solution yet found for aboriginal areas.

*And of course there are no figures of consumption of illicitly distilled liquor

"I would make one further point, the necessity of avoiding further frequent changes in policy and issue price. In recent years in many parts of the province the aboriginal has not known where he stands. Every year there have been changes and fluctuations, frequently without the slightest consideration for his desires and means, and this policy of often senseless change has driven him to excise crime. In the Bajag area of Dindori Tahsil, where for years on end system and price have been unchanged, there has been contentment and virtually no excise crime. This should be our aim. We should fix reasonable prices, give them the type of liquor they want, and leave them alone."

354 Before the reductions of issue prices and partial revival of the outstill system from 1935 onwards the old Chhindwara district had the highest figures of excise crime. Here the supply system was introduced first in Sausar Tahsil in 1905 and gradually extended till in 1916 only 510 square miles (all in the wild jagir country) out of 4,578 were under the outstill system. By 1924 the whole of the jagirs also had been brought under the supply system. Against 195 cases of illicit distillation detected in 23, there were 335 in 1924 and 501 in 1925. In the 10 years ending with 1935 the average yearly number was 450, the highest figure being 609 in 1935. A general reduction of issue prices that year had no immediate effect on excise crime, but in 1936 and 1937 outstills were revived in 1,904 square miles of the remoter areas, and illicit distillation detections dropped to 438 and 256, respectively. The outstills were again abolished in 1938, and illicit distillation is again reviving, 367 cases were detected in 1940. In the old Seoni district, however, figures seem to show that the reversion to outstills was not so necessary, the average detections in the 10 years ending 1935 were 64, with 118 and 93 in 1934 and 1935, respectively. Outstills were revived in 1,601 square miles in 1936 and 1937 (when detections fell to 46 and 24), and abolished in 1938, 65, 32, and 60 cases have been detected in the three following years. In Betul District, where similarly outstills had been abolished, detections of illicit distillation cases numbered 534 and 454 in 1934 and 1935, revival of outstills in 1936 and 1937 reduced the figures to 168 and 135, though there was a little smuggling of outstill liquor into the supply area. Outstills were again abolished in 1938, and illicit distillation is again reviving, with 220 detections in 1940. Taking the figures for the whole of the Mandla, Balaghat, Betul, Chhindwara, Chanda, Raipur, Bilaspur and Drug Districts and for the Kundam area of Jubbulpore District, in all of which outstill areas were increased in 1936 and reduced or abolished in 1937 or 1938, while supply area issue prices were reduced in 1935 also, the numbers of illicit distillation cases detected were 2,263 in 1934, 2,348 in 1935, 1,226 in 1936 and 882 in 1937, since the abolition of outstills in all districts but Mandla, Chanda, Drug and Raipur and their restriction in Mandla and Drug in 1937-38, the figures have risen again to 1,001 in 1938, 1,023 in 1939 and 1,432 in 1940, the latter are incomplete as they include in 1940 only figures for the first eight months from Mandla. Even smuggling is increasing, despite the restriction of the outstill areas, with the constant temptation to export outstill liquor into duty areas. Offences detected were 141 in 1937, 205 in 1938, 179 in 1939 and 307 in 1940.

355 If Ministries actuated by a genuine belief that the drinking of intoxicating liquors is under all circumstances and for all people evil to be abolished all at once for the Hindu and Muslim whose religions condemn it but gradually among aborigines whose religion and customs require it are to persuade the aboriginal drinker to forego or restrict his liquor this can in fairness be done only very gradually after long and careful propaganda spread perhaps over a century and accompanied by a careful programme of advance in general and political education medical relief agriculture forest administration and nation building generally Drastic increases in the price of liquor or reductions of the numbers of shops can only result in driving the unconvinced and spirited into breaking the law and the unconvinced conformer who still must have his liquor into getting into debt with the Kalar Social reform of any kind must have the backing of the people or at least of their leaders no one has ever made a real attempt in the Central Provinces and Berar to enlist the sustained support and sympathy of aboriginal head men and elders for temperance Let us examine past experience of temperance movements and propaganda in Balaghat District and surrounding areas

356 * The late Mr N K Kelkar (the first Excise Minister) and the Rev T W Williams of the Baihar Mission have both written of certain reform movements among the Gond of Balaghat several years ago Mr Williams writes —

About 25 years ago there were two very definite attempts made amongst the Gonds to introduce and enforce temperance in this district For a time it looked as if the results might be really good and permanent Cases of drunkenness amongst them were punished and they were taught to use sweetmeats instead of liquor at weddings and funerals Later the Gonds made great efforts amongst themselves for their general uplift and the leading men used to meet once a month in committee to decide what steps should be taken The keeping of pigs fowls and goats was forbidden and at one time the Gonds were not permitted to work for other people and it resulted in the Powars having much trouble to get servants All these movements have long since died out and so far as I know there are no efforts being made among the Gonds in this part at the present time along the line of Temperance or Social Uplift They seem very much as they were when I first came to Balaghat District over 40 years ago

Of the same movements Mr Kelkar wrote —

Prohibition was almost achieved and if high class politicians had not lapsed into lethargy there would have been no necessity to pass the Prohibition Act

Formerly the Gonds used to be menial servants of the Powars The behaviour of the Powars towards their menial servants was unbearably rude and autocratic The Gonds organised a campaign of protest against the Powars and

*Paragraphs 356—9 more or less reproduce paragraphs 154—7 of *The Aboriginal Problem in the Balaghat District*

brought the latter to their knees. They suffered some hardship but they bore it patiently. Two of the Gonds in this district were prominent preachers in the non-co-operation days, and one of them who is still alive is looked upon by the community as their guide, philosopher and friend."

There is little record of these movements in official reports except in the annual Excise Reports. These paint a somewhat different picture. Thus Mr. C. U. Wills, I.C.S., in the 1920-21 report, wrote.—

"So far as non-co-operation serves to strengthen the ideal of temperance and to confirm the popular belief in the social advance to be gained by adherence to that ideal, it can fairly be hoped that good may come out of evil. But the motive of its advocates is tainted. And their arguments are too patiently dishonest to carry serious conviction for any length of time. Twelve years ago, 'by crediting our liquor with containing the flesh of dogs, pigs and cows they hoped to appeal to Mahars, Muhammadans and Hindus alike'. This year they have taught the people that distillery liquor is filthily polluted, and the Gonds of Mandla have been urged on this ground to get their liquor from the outstills or by illicit distillation. Elsewhere the people have been told that if they hold out and win *swaraj* they will be allowed free distillations as in 'good old days'."

The Report further pointed out that the real cause of the temporary success of the movement against liquor had been, as in 1908-09, economic distress. Even though there had been only 423 illicit distillation cases, this represented an increase, to which it was held that political propaganda had been the main fillip.

357 In the following year the non-co-operation movement had died down, but had left a legacy of indiscipline, because of which illicit distillation cases rose to 798. Of these Mandla District alone contributed 330, thanks to a regular epidemic of illicit distillation all over the supply area attributed to non-co-operation propagandists asserting that all licit liquor was polluted. Mr. Wills in his Report for 1921-22 gave an interesting analysis of the anti-drink movement among the aboriginal and other backward classes —

"The force behind these efforts at reform is a conviction that the physiological effect of spirit or fermented liquor is bad, or that it is best to forego these in the physical interest of the community, the object is simply to enhance the reputation of the particular caste in the local social hierarchy,"

as was clear from the fact that the movement condemned drink only and not the far more harmful hemp drugs. Such social aspirations were, he pointed out, natural to all, and the ambition from which they sprang might after lying dormant for years burst into activity, it was therefore not surprising that the vigorous stimulus of the non-co-operation movement, with its preaching in every corner of the province, had started abstinence movements among usually large numbers of Hindus and aboriginals. With the waning of non-co-operation it had become

possible to distinguish abstinence due to political pressure from that due to caste social ambition. There had in various districts been abstinence movements among Gond Korku, Bhil Koshti, Tel, Dhobi, Mahar, Balahi, Chamar, Banjara, Kahar, Gurao, Dhimar, Ahir, Kewat and other tribes and castes, a welcome and healthy crop of good intentions, but Mr Wills (rightly as the event showed) felt that as in the past little permanent good would result. He pointed out that a temporary disapproval of drink based not on a reasoned conviction that drink was harmful but merely on prejudices instilled by caste-leaders into their caste-fellows at the bidding of new political or religious leaders was no secure foundation for temperance reform which must for permanent results be based on a conviction that excessive drink was harmful. In his 1923 Report again Mr Wills wrote —

Now that the political activity of non-co-operators against the liquor trade is in abeyance it has become clear that the real sentiments of the mass of the drinking classes have been but slightly affected by their social teaching. Among some portion of the Gond population of the plateau districts abstinence from liquor is still maintained on a considerable scale particularly in the Chhindwara jagirs under the influence of Raj Gond jagirdars. Elsewhere the abstinence movement of 1920-21 has left its mark in confirming the social condemnation of those who drink by those who do not. But this condemnation is of ancient standing, and its effective ness in 1920-21 was primarily due to social terrorism.

Relieved of this terrorism the drinkers had returned to their old habits save in so far as Government had made this too expensive by raising the price of liquor. Prohibition had under the temporary stimulus of this anti-drink crusade been adopted by the Legislature and Government as the ultimate goal but when the stimulus had weakened the legislators had not continued their efforts in their constituencies and as before the non-co operation movement, so after it the Excise Department remained the sole effective temperance agency. The Gond kept up their tribal move against liquor longer than others but by 1924 even their efforts were dying down. Meanwhile however because propaganda had been directed against Government liquor rather than liquor itself illicit distillation had risen by leaps and bounds especially in the Gond districts and the 1920-21 figure of 423 cases had risen in 1925 to 2,340 of which 1,506 came from the plateau districts alone.

358 Similar movements have recurred among the Gond from time to time usually under extraneous political influences and not through any wide felt tribal urge for reform. Thus in 1927 the annual Excise Report notes a social reform movement among the Gond of Mandla and Baihar. Its motive was an aspiration for social and religious uplift on Hindu lines but it gained strength from an unpropitious turn in the nonsoon. As a temperance movement it had much in its favour but a bad feature was its attack on other habits and customs especially its inculcation of abstinence from flesh and eggs and of slaughter of goats and poultry, an unfortunate blow at an already insufficiently varied diet and at the precarious economics of Gond

villages But the seasonal conditions improved, and as the fear of poor harvests receded, the movement lost its strength in Mandla and Baihar In 1929 the revival of political agitation had in Gond areas, especially Betul District, symptoms and effects similar to those witnessed in 1920 and 1921 the organizers relied not on persuasion but on violent methods, such as far from peaceful picketing of shops and sales, social boycott of excise contractors, and assaults on them and on consumers At the same time however illicit distillation went on increasing, reaching the level of 2,481 cases in 1931, and going even higher after the end of civil disobedience because of the spirit of defiance of the excise law that was a legacy of the troubles, till in 1935 it resulted in 4,537 cases involving 7,154 accused, and had become "an organized industry directed with audacity and cunning"

359 From the viewpoint of aboriginal "uplift" it is tragic that these impulses towards tribal re-organization and self-help coincided with, if not always directly inspired by, anti-Government movements They have never been "responsible" enough to win the help of Government officers or of religious or social missionaries, though they showed a renascent tribal self-consciousness and power of combination, and effectively answer the Co-operative Department's theory that co-operation is beyond the intelligence of the aboriginal These impulses should be officially encouraged and guided through tribal headmen and elders, and not be left to the mercy of the ignorant agitators who in these remote areas are the backwash of reputable political movements and whose wilder vapourings would be criticised by few persons more than by the national leaders of those movements

360 Let us close this account of past excise policy in aboriginal areas with a reproduction of Chapter VI of Mr Elwin's recent pamphlet *Loss of Nerve* This chapter bears the heading "The Supersession of the Home Distillery", and though somewhat extreme in its statement of the aboriginal case in excise matters, is the considered view of an enlightened social missionary who has worked for years among the Gond and Baiga in Mandla and more recently among the Muria and Maria of Bastar, and has married a Gond lady —

"The Congress has declared that it will not apply the Prohibition laws—when it resumes the power to make them—to aboriginal areas This is a sound policy, though from the tribal point of view the real harm was done long ago when home distillation was forbidden This not only deprived the people of a profitable village industry, but it introduced into tribal country large numbers of the worst type of adventurer who took charge of the licensed outstills and seized every opportunity of getting the aboriginals into their clutches This was an important cause of the loss of aboriginal land, of life-long indebtedness, and of degradation through contact with the bad characters that often throng the liquor shops—the Indian 'shop' unhappily bears no resemblance to the European tavern Sir Richard Temple, however, considered that the proper management of the excise had done much good 'In former days, the bane of all these tribes had been the drinking of ardent spirits But it is the

concurrent testimony of all persons most competent to judge that a marked reform has been setting in of late * Yet after seventy years the reform is still ineffective

Liquor is a necessary ingredient in aboriginal worship and social ceremonies. It is sprinkled on the seed at the Bidri ceremony so vital to the fertility of the crops, on the mud images at the rite which binds the jaws of the man eater on the nails that keep the earth in place or drive away disease at every sacrifice offered to the gods. Mourners take it at a funeral and offer a last drink to the dead. It is used ceremonially at several points of a wedding. It is an essential item in the gifts at a betrothal. It is generally taken as part of a fine at excommunication. In north Bastar it is offered at the altar of drums before a dance at the altar of bows and arrows before a hunt.

But for all these things the liquor should be home-made. A polite fiction often remedies this—the medicine-man squeezes out a little of the fresh mahua juice first and then adds liquor from the still—but something of the freshness and vitality of the old ceremonies has passed away.

Mr Symington advocates Prohibition in the partially excluded areas of Bombay. The Orissa Committee has urged it for Orissa and has recommended the control of the mahua flower † a Jesuit Father Lallemand who has long championed the rights of the Bihar aboriginals has criticised Congress because it forced Prohibition on other communities where it was both unnecessary and harmful but exempted the one section of society for whom it was both necessary and beneficial. But for the aboriginal in the Central Provinces, except in certain obvious cases liquor is not a source of degradation or disease. The aboriginal's life is so comfortless his energies are so reduced by fever, his diet is so monotonous that a bottle of liquor is to him a tonic a medicine an appetiser and a relaxation. Where it is forbidden or where the price is made prohibitive as in Bilaspur he takes to the more injurious hemp drugs or to opium. Parts of Bilaspur are now called the Ganja Ilaka and I have myself seen the tragic effects of the ganja habit among the tribesmen there.

In Bastar rice-beer and the juice of the sago and toddy palms are drunk as well as mahua spirit. Only the latter is controlled by the State authorities and many of the aboriginals do not drink anything but the palm juices thus avoiding the evils that I have mentioned at the beginning of this section. The use of mahua liquor however is essential at religious and social ceremonies among the Murias and Hill Marias though the Bison Horn Marias use rice-beer instead. But in Bastar liquor is not as in the Central Provinces an instrument of culture-contact. The real evil of liquor to the aboriginal is not that it makes him drunk but that it brings him into contact with and often makes him dependent on a degraded type of alien.

* *Papers Relative to the Aboriginal Tribes of the Central Provinces* by the Rev S. Hildrop ed R. Temple 1866 p vii.

† *Report of the Partially Excluded Areas Committee Orissa* (Cuttack 1940)

361. Turning now to future policy, my views have been overshadowed in paragraphs 37-43 of *Notes on the Aboriginal Problem in the Mandla District* and in paragraphs 164-69 of *The Aboriginal Problem in the Balaghat District*. On an earlier occasion, in 1935, as Deputy Commissioner of Hoshangabad I worked out my ideas in some detail in my reply to the general reference from the Separate Revenue Department on the excise aspects of the moral and material elevation of the aboriginal tribes, which is printed with the answers from other districts in the booklet referred to in paragraph 344 above. That letter, so far as liquor is concerned, defined the problem in terms that still seem to me to be adequate, namely, as —

- (a) to see that where in his present social development the aboriginal must have drink freely for his social and religious occasions and in sickness, he can get it at a price that is not so far beyond his means that he distills it or smuggles it from cheap areas,
- (b) not to expose him to habitual drunkenness or revive drinking habits where they are things of the past, and
- (c) to try and teach him temperance (rather than abstinence)

As there urged therefore, all measures that are to be undertaken should so far as possible be undertaken after full consultation with the aboriginal, ultimately through the Panchayats, Union Boards and indirectly elected Local Boards that are discussed in the subsequent chapter on Political Education, and in the meantime through existing tribal headmen and elders or tribal panchayats where these exist. Until a properly based edifice of local self-governing bodies comes into being, ideas thus tested in informal consultation with leading aboriginals should come before special aboriginal excise advisory committees constituted in all important aboriginal districts, proposals for excise arrangements in aboriginal areas being expressly excluded from the purview of the regular Rural Advisory Excise Committees (Excise Manual I, paragraph 77 rule III). These special committees should be presided over by the Deputy Commissioner and have the District Superintendent of Police, the Divisional Forest Officer and District Excise Officer as *ex officio* members, together with representatives of any Independent Local Board constituted for aboriginal areas or a selection of the aboriginal members (if any) of the District Council and its Local Boards, and with four members nominated by the Commissioner to represent aboriginals, these four should if possible be intelligent leading aboriginals, but, if aboriginals of adequate intelligence and influence are not available, might be recruited from unofficial health, social or religious workers in the area. At least such committees should be constituted for the Partially Excluded portion of each district with Partially Excluded Areas, though this would not be enough.

362 Drug policy might first be dealt with briefly. Mr Elwin in the penultimate paragraph of the extract from *Loss of Nerve* given in paragraph 360 above has referred to the tragic effect among the tribesmen of Bilaspur District of addiction to *ganja*,

to part of that district being known as the '*Ganja Ilaga* and to hemp drugs and opium being far more harmful than *mahua* liquor. In paragraph 166 of my *Balaghat Report* I wrote —

More rapid steps could be taken towards prohibition of drugs in Baihar. They are far more deleterious than country spirit and as yet the aboriginals are clearly far less addicted to them. Yet the retail prices of opium and *ganja* were till 1940 always lower in Baihar than elsewhere an unnecessary differentiation. There has been a big increase every recent year in the duty on drugs which is admirable but I believe that they could be totally prohibited in Baihar in two or three years from now.

Certainly the *ganja* probably the opium habit also, are evils that the aboriginals have learnt from contacts with the Hindu. Equally certainly it is still possible in the backward areas effectively to check the further spread of the consumption of these drugs by aboriginals by making them as expensive there as in the advanced districts of the plains by closing down at once all shops save in the few centres where the aboriginal and quasi-aboriginal menial castes are in a decided minority (which might mean only one opium and one *ganja* shop only in each tahsil in the headquarters town) and in such centres prohibiting vend to aboriginal and quasi-aboriginal buyers and lastly making prohibition absolute after four or five years. These steps should certainly be adopted in all Partially Excluded Areas in the Pandaria Zamindari of Bilaspur in the Raipur Zamindaris and the more backward non-excluded tracts of Chhindwara Betul and Drug Districts. Consumption of opium has for several years been steadily going down in the province as a whole and the 1940 Excise Report mentions particularly welcome falls in consumption in Raipur Chhindwara Drug and Balaghat Districts. Policy has for several years been directed towards gradual eradication of the opium habit the principal general measures taken having been heavy enhancements of the issue prices and consequently of selling rates, reductions of the limits of lawful retail sale and individual possession and stricter enforcement of the Opium Smoking Act. Though the duty per seer of opium is now (1940) Rs. 91 13-0 throughout the province there are still backward areas where the average retail price per seer is far lower than elsewhere against a price of Rs. 240 in Wardha and Chanda Districts prices are low in parts of Chhindwara (Rs. 160) Nimar (Rs. 160) Balaghat (Rs. 162) and Drug (Rs. 170—190). Consumption per 100 persons averaged in 1940 0.04 seer in the whole province. Separate figures are available for Mandla District alone of the Partially Excluded Areas and here the consumption was 0.05 seer but in other districts with Partially Excluded Areas or large aboriginal elements in their population the consumption was much above the provincial average e.g. Balaghat (0.08) Raipur (0.07) Drug (0.06) Amraoti and Seoni Sub-division (0.05 each). The average number of opium shops per 10,000 population in rural areas all over the province was 0.2 in Balaghat it was as high as 1.5 and in Seoni Sub-division as 0.7 and Mandla and Chhindwara are the only important aboriginal districts below the average. Similarly taking the distance between shops as the criterion of the opportunities for getting opium in the province as a whole

there was one rural opium shop for every 146·8 square miles. In aboriginal areas with their greater distances and scantier populations this figure should be much exceeded, and is so exceeded in Mandla (252·6), Chanda (244·8), old Chhindwara (207·4) and Betul (203·1), but it is much less in Drug (103·0), Balaghat (118·4), old Seoni (124·5) and Bilaspur (127·7). The duty on *ganja* is now uniformly Rs 52-8-0 per seer throughout the province, but the retail prices vary greatly, against a general level of about Rs 100 per seer for the whole province the drug is sold as comparatively cheaply as Rs 65 in parts of Jubbulpore, Rs 70 in parts of Chhindwara, Seoni, Drug and Balaghat, and Rs 73 in parts of Raipur, but in Mandla and Betul it is sold at Rs 90, the same price as in the urbanised districts of Nagpur and Amraoti, and in Chanda and Bilaspur at Rs 100. There seems to be room for prescribing a minimum retail price, which should if anything be higher in the backward areas than elsewhere where people have long been addicts of hemp drugs. Though the duty was increased, consumption of *ganja* in the whole province rose in 1940 by 3 per cent to 12,264 seers, because of a rise of 576 seers in Nagpur, Wardha and the four Berar districts. It is good to see that there was a fall of 115 seers in Bilaspur, 55 seers in Mandla and 47 seers in Balaghat, but total consumption was high in Bilaspur (1,161·5 seers—a figure exceeded only by Jubbulpore and Nagpur), while Balaghat (722·5 seers) compares unfavourably with Chanda (222), old Chhindwara (351·5), Mandla (364·5) and Drug (451). The average consumption in the year by every 100 persons in the whole province was 0·08 seer, a figure exceeded among aboriginal districts by Balaghat (0·12), old Seoni (0·10), but smaller in Betul (0·03), Chanda (0·03), Yeotmal (0·03), Drug (0·05) and old Chhindwara (0·06), and equalled in Mandla, Nimar, Raipur and Bilaspur. There are clear dangers in the aboriginal areas of Mandla, Balaghat and Bilaspur. The average number of rural *ganja* shops per 10,000 population in the whole province was 0·5 in 1940—this average was exceeded in Balaghat (1·7), old Seoni (0·7), Nimar (0·64) and Mandla, Hoshangabad and Jubbulpore (0·6 each), but smaller in old Chhindwara (0·3), Chanda (0·37), Raipur, Bilaspur and Drug (0·4 each) and Betul (0·47). The average number of square miles per rural *ganja* shop was 157·7 for the whole province but there were lower averages in Drug (119·7), old Seoni (123·6), Bilaspur (125·6), Balaghat (136·6) and Raipur (148·0) while the averages were far higher in Chanda (344·8), old Chhindwara (285·3), Betul (203·1) and Mandla (187·1). The facilities for buying *ganja* are disproportionate in the various districts and are too numerous in Balaghat, Seoni and old Chhattisgarh, while consumption is too high in Mandla also. Aborigines must be affected, though there are no statistics available either of aboriginal consumption or even of consumption in individual Partially Excluded Areas except Mandla District. Where, as in Betul, old Chhindwara and Chanda, *ganja* has not made the aboriginal its victim, there can clearly be no objection to taking immediate steps to prevent him becoming its victim in future. The policy already suggested with a view to rapid prohibition of drugs among aborigines near the beginning of this paragraph ought therefore to be adopted in the Partially Excluded Areas and the other regions there suggested.

363 *Toddy*—In paragraph 348 above the system of free tapping licences in certain scheduled villages inhabited by Maria Gond in Chanda District as approved by the Todhunter Committee was described and this system was mentioned with approval in the draft report of the 1935 Excise Committee which recommended a generous grant of such licences in future in villages inhabited exclusively by Maria Gonds subject to the usual safeguards. Among the subjects on which opinions were called for from Deputy Commissioners with regard to excise in 1935 was the possibility of extending this system to other suitable areas. Several replied that there were no suitable areas in their districts and none of those who supported the suggestion mentioned any specific areas as suitable. There are at present 239 villages in the Sironcha and 58 in the Garchiroli tahsil of Chanda District where Maria and Gond have this privilege. The number of such villages could in my view be extended considerably in the Partially Excluded zamindaris of Garchiroli Tahsil and of Drug District omitting perhaps Gewardha, Palasgarh and the north of Ambagarh Chauki. There is certainly no reason why the Maria of Aundhi, Koracha and Panabaras should not have this privilege which they would have had probably had not those estates been transferred from Chanda to Drug District. On the other hand there are some big villages in the south of Ahiri Zamindari near to and influenced by the large non aboriginal *khalsa* villages of Sironcha Tahsil where the Maria is no longer a preponderating element of the population and Mr. Kerawala has pointed out that the concession is abused at least if it be proved that toddy extracted in those villages under free licences is being sold in the neighbouring villages the privilege should be suspended or withdrawn after due warning. The concession moreover is in theory restricted to Maria and other Gond it was pointed out in 1935 by the Nagpur District Excise Officer (who had till recently been stationed in Chanda District)—in his letter printed as an enclosure to the Nagpur Deputy Commissioner's answer to the 1935 enquiries in the printed pamphlet of answer already referred to—that there were various other local castes and tribes living in those tracts and in no wise differing in their way of life from the local Maria and that these deserved the same concession. His list went rather far as it included the Kalar, Salewar, Kapewar and Dhimar castes but the privilege should clearly go to aboriginals such as Pardhan, Halba, Nagarchi and Ojha to potters, blacksmiths and carpenters settled in aboriginal villages to Mahar, Mala and Madga untouchables and to Gwari and Rawat graziers. A reasonable increase in the number of villages and the communities to which this concession applies will reduce cases of illegal possession and sale and transfer and minimise excise subordinates' opportunities of harassment. There is in reality little or nothing to be gained by the proposals made from time to time for tightening up control of this free tapping. In practice the Maria is himself very particular as to the welfare of his trees to prevent overtapping and not to allow any villager more than his fair share. In my view there should be no interference at all except when toddy extracted under free licences is sold or smuggled in villages to which the privilege has not been extended. Toddy drinking is very harmless the fermented palmjuice being a far milder



FIG 19 Maria Toddy Tapper near Bhamragarh

intoxicant than *mahua* spirit, and past excise policy having rightly recognised that any diversion from *mahua* to toddy was a sound temperance measure. The presence in his village of this free source of mild intoxicant is one of the things that has long kept the Maria far freer of economic thralldom to the Kalar and *sahukar* than the less fortunate aboriginal of the plateau districts.

364 I must therefore emphatically oppose a proposal first mooted by the then Excise Commissioner when inspecting the district excise office in April 1938—not, be it marked, after touring in the free toddy zone—of levying from the holders of free tapping licences a nominal tree tax to cover the cost of regulation and administration. In the first place there is nothing really gained by having these licences. All that is necessary is to leave the control to the headman or *gaita* of the privileged village, limiting if you must the total number of trees to be tapped in his village area each year and very occasionally having the number tapped checked by the *patwari* or touring revenue officers and revenue inspectors, during their ordinary tours. Then there can be no expense of regulation and administration to be recovered. The first proposal was to fix a tax of one anna a tree, corresponding to the one anna already levied by the zamindar of Ahiri *qua* owner of the palm-tree for the user of his tree. This was deferred because of a series of poor crops. But in June 1941 the Deputy Commissioner of Chanda, supported by his rural excise advisory committee, proposed that in the first instance a tax of two annas a tree should be imposed in the 58 Garchiroli tahsil villages allowed free tapping. All that this would bring in, assuming that not more than 20 trees a year would be tapped in each of the villages, would be Rs. 145 a year. It would involve futile writing work, receipts and accounts useless in an area where neither *patel* nor *ryot* can read or write, long tours by excise subordinates drawing more travelling allowance than the proceeds of the tax and “living on” and harassing primitive villagers whose chief desire is to be left to themselves. It would lead to general evasion and would certainly not reduce consumption of toddy, which is always moderate save in the few villages influenced by non-aboriginal contacts near the Sironcha *khalsa* mentioned in the last paragraph. It was suggested that “a beginning should be made in the direction of regulating the drinking of toddy by the Marias of Sironcha” who “literally subsist on toddy for some months in the year and are drunk most of the time” and that at the same time “something constructive should be done to provide employment to the Marias to enable them to improve their economic condition”. The statement that they are drunk for most of the time during the toddy months is a figment of the imagination. For one thing, climbing tall palm-trees on rough “ladders”, consisting of bamboo-stems tied to the palm trunk with the stumps of side-shoots of the bamboo left to serve as rungs, is an impossible task for a drunkard. In a long tour right through the Maria country, in which daily I saw Maria men climbing palms to remove the sap that had collected overnight or during the day in the bamboo tubes here used instead of the earthen pot of the open country as containers, I saw no one drunk on toddy. There are not enough trees available in the average Maria village for a tithe of the universal drunkenness suggested in the quotations just given. As to

economic condition the Allapalli forest departmental operations and sawmills already provide work for Maria from miles around even from remote villages in Bastar State and what has to be done further to help them is to meet their wishes rationally over *podu* cultivation (see paragraphs 276—85 above) and so to improve the administration of the Ahiri and other zamindari forests that in time there may be other Allapallis in this wild region. My considered recommendation therefore is that on no account should any tree tax however nominal be imposed in the villages where the system of free tapping licences is now in force or may be introduced.

365 *Mahua spirit proposals*—Outstill liquor clearly must continue to be provided in predominantly aboriginal areas except perhaps the Melghat and the constant zig zagging of policy between outstill and distillery liquor should cease. It is perhaps however unnecessary to revert from distillery liquor in Seoni Sub-division or in Chhindwara outside the Jagirs. In Yeotmal District illicit distillation continues to be rife Banjaras being bad offenders while the high cost of drink has been shown to be a principal factor in debt among Yeotmal aboriginals. I have been unable to tour there, but the facts suggest that there is room there for at least reducing prices in the more backward areas if not also in the forest areas for providing outstill liquor. Elsewhere it is suggested that Government should revert to outstill liquor—not necessarily to outstills—in all the areas where the outstill system was revived in 1935 and 1936 if administratively there should be any difficulty over this revival in the small Kundam area of Jubbulpore where it was thus revived in 1935-36 this might be the sole exception.

366 In the last paragraph it was said that reversion to outstill liquor need not necessarily mean reversion to outstills: i.e. not to stills scattered here and there over the countryside run in an insanitary way by Kalar or even by aboriginal contractors. I see no reason why the making of pot still liquor should be the monopoly of the Kalar or should be shared by him with other local contractors aboriginal or not. One of the main steps in temperance reform has been elsewhere to remove the liquor trade from the realm of private enterprise and profit making an object in India only partly achieved by the licensing of the right to distil, while experiments made a few years ago in Hoshangabad and elsewhere with departmentally run liquor shops were abruptly stopped by the Congress Government when useful experience was being acquired which give promise of results of great value from the temperance viewpoint. In the backward areas why should we not have departmentally run central pot-distilleries at the tahsil headquarters? These could be run in a clean and sanitary way and be subjected to regular medical inspection. Difficulties over copper poisoning could be obviated by prohibiting the use of copper stills or by the compulsory use of doublers between the still head and the condenser which would prevent copper and other contamination. The old objection of the aboriginal on grounds of religious prejudice to liquor made by non-aboriginals could be met by compulsory employment in the distilleries of aboriginal servants if not for all purposes, at least for pouring water on to the *mahua* flowers before distillation.

Departmental management would be ideal, at least for the initial working of the scheme, as in this way full information as to the quantities, hours of distillation and restrictions and precautions necessary would be gained, as a basis for subsequently auctioning the right to run such distilleries if it were to be found difficult permanently to run them departmentally. If however it should be decided to let the right to Kalar or other distillers, the condition of employment of aboriginals for pouring water on to the *mahua* flowers and so far as possible for all work in the distillery should be insisted upon.

367 With such local central pot-distilleries there would be no need to have sub-shops attached as at present to each auctioned outstill. The separate local shops could be auctioned in exactly the same way as they are under the central distillery system, and it would be possible gradually to eliminate non-aboriginal contractors from the retail trade and auction the shops to aboriginal contractors, without the risk of making them habitual drunkards which appears to be involved when aboriginal outstill contractors are always actually distilling their own liquor (see paragraphs 37 and 43 of *Notes on the Aboriginal Problem in the Mandla District*). The transport of pot-still liquor in this way from localised distilleries to the shops would be far cheaper than the present transport from Seoni or other distilleries by rail to district excise warehouses.

368 This system should be tried experimentally in areas where communications are fairly good, rather than in large tahsils with poor roads, miles of forest, innumerable *mahua* trees and scattered villages. I would suggest Baihar Tahsil, Mandla Tahsil, Bhainsdehi Tahsil and the Chhindwara jagirs for the first experiments, especially Baihar from the point of view of communications and Bhainsdehi and the jagirs from the point of view of a possible difficulty of getting experienced outstill practitioners to take ordinary outstill contracts. In the other 1935-37 outstill areas the outstill system should be continued or revived, with the condition of employment of aboriginals to pour the water on to the *mahua* flowers, prohibition of copper stills without doublers, and clean and sanitary conditions. The conditions recommended by the 1935 Excise Committee have been stated in paragraph 345 above. As already stated, I am no longer in favour of giving licences to distil liquor for sale to aboriginals as a matter of general policy, but agree with the Committee's desire to eliminate middlemen from the liquor trade in aboriginal areas, which I would seek to achieve by the gradual extension of the pot-distillery system outlined in paragraphs 366-67 above. In practice their recommendations to limit the quantity of *mahua* which each outstill licensee is permitted to use and the maximum quantity of liquor that he may distil are difficult to carry out. On this point I wrote in 1935 that for combating the dangers inherent in the outstill system the expedients (a), (b) and (c) mentioned in paragraph 517, Excise Manual, Volume I, could be tried, but that, as shown in paragraph 520 *ibidem*, expedient (c) had never proved practicable, while the ordinary contractor aims more at the highest possible profit, so that it is only the maximum limit of prices that needs to be fixed; that expedient (b), the restriction of the fermenting capacity of the vats, I had found in Bastar

to be beyond the intelligence of the usual backwoods contractor and that the only practical expedient was restriction of the hours during which the stills might be worked. I added however that the real safeguard would be to enlist the support of tribal headmen and elders in checking abuses for which purpose as for the other reasons contemplated by paragraph 263 (vi) of the Excise Manual selected village officials and aboriginals could be declared excise officers under section 7 (d) of the Excise Act. Such men could help to prevent outstill contractors breaking the rules if suitably rewarded and would also be useful for searching the houses of aboriginals suspected of excise offences without offending religious susceptibilities a matter referred to later

369 Other measures advocated by me in 1935 for reducing excise crime I still recommend —

- (a) There should be a liquor shop for at least every 25 square miles and 2 500 persons instead of every 30 square miles and 3 000 persons [Excise Manual paragraph 232 (iv) (c)]
- (b) Fixation of reasonable maximum retail selling rates within the means of aboriginal consumers (*ibidem* paragraph 78 rule XVI)
- (c) Fixation of the limit of retail sale possession and transport of country liquor at 2 bottles of 8 drams each in aboriginal areas
- (d) Raising of the quantity of liquor allowed under a special pass issued by patwaris and others under paragraph 83 (I) and (III) of the Manual in aboriginal areas to 2 gallons
- (e) Extension to other aboriginal areas of the Mandla disc system for transport of country liquor and toddy (Manual paragraph 478)

370 I also raised there the question of occasional licences to aboriginals on nominal fees to distil liquor from their own *mahua* for religious and social ceremonies on permits granted by the Deputy Commissioner, Divisional Forest Officer, District Superintendent of Police, District Excise Officer or any of their subordinates down to Revenue Inspector, Ranger or Police Sub-Inspector. Most district officers continue to say that such a system would be constantly abused and impossible to check. But the whole idea is to enlist the sympathies of the aboriginal on the side of the law instead of sticking to a system under which he has no respect for it and is bound to break it. If he is given reasonable facilities for the liquor needed for his festivals and ceremonies of the kind that he likes and as cheaply as possible with a minimum of interference from subordinate officials and placed on his honour to see that privileges are not abused or warned that abuse of them will involve their withdrawal or even a collective fine then why should he abuse them? I observed in paragraph 168 of my *Balaghat Report*—

We shall make no progress towards reducing drink consumption among aboriginals until we convince the tribal elders that temperance is a good thing and enlist their support

An example of a possible line of approach

is mentioned in the Excise Report for 1919-20, which describes an arrangement made in 1918 by the late Sir G L Corbett, I.C.S., as Deputy Commissioner of Chhindwara, with the people of the Bhatoria and Ambada tracts fixing the selling price of a bottle of 60° under-proof liquor at 3 annas and 4 annas respectively, in return for which the headmen promised to discountenance illicit distillation and help detection. They kept their word, in these areas 55, 24 and 29 cases were detected in the next three years, and there was a marked return to consumption of licit liquor."

I went on in paragraph 169 of that Report to quote from paragraphs 178 and 179 of the *Report of the Partially Excluded Areas Committee, Orissa, 1940*, an account of a system in vogue in the Ghumsur-Udayagiri taluq of the Ganjam Agency. There in 1920 total prohibition was introduced in two *muttah* of the taluq, and later extended to five *muttah* and one village. Distillation or manufacture of country liquor in the taluq was divided into two kinds, (i) for public ceremonies and (ii) for *bona fide* home consumption and for private ceremonies. Only Khond aborigines were permitted to manufacture liquor for public ceremonies and for private consumption, manufacture by non-Khond persons in the prohibition areas was prohibited. The Khond had to take A permits for public festivals throughout the taluq; under these permits a Khond family was permitted to distil and possess liquor unlimited in quantity for public festivals for a period specified in the licence. On the expiry of this period, "provision of the Abkari Act was applied for booking the offenders" (*sic*, the meaning of the sentence is a little obscure). It was however found that in the prohibition areas there was much drunkenness among the Khond, who were also distilling liquor for sale. They were then required to take B permits to distil for private ceremonies and home consumption, and licences were granted to individuals on application for limited periods and quantities. Outside the prohibition areas the Khond were not required to obtain permits for private distillation. Thus in the taluq total prohibition applied to all but Khond, and there was some control over Khond consumption of liquor, the Khond could distil for themselves within certain limits for public festivals and for genuine home consumption, but not for sale. Later they were also allowed to make a gift of liquor to members of the Pano tribe who always assist at their ceremonies. Other systems were in force in other parts of the Khondmals, though in theory total prohibition prevailed, but the Committee found that prohibition had failed owing to the small excise staff and the drinking habits of the people. It therefore recommended abandonment in the Ganjam Agency of the attempt to impose total prohibition in favour of this Ghumsur-Udayagiri system of prohibition for non-aborigines, combined with A and B permits, some fee being charged for a permit, and each permit stating how much liquor could be manufactured. These permits should, it went on to say, be given for certain festivals and for social ceremonies such as birth, death and wedding ceremonies. The Government was asked to work out the detailed arrangements, and to fix certain periods of the year for issuing them for stated communal ceremonies. No permits were to be given on any account for the sale of liquor. The excise staff should, the report said, be used

to issue the permits and to detect breaches of the partial prohibition orders and Government was advised to engage special temperance propaganda staff to work among the Khond with a view to eventual total prohibition

371 I repeat the recommendation in paragraph 169 of my *Balaghat Report* that further details of the working of this scheme should be obtained from the Orissa Excise Department as it might be the key to real reduction of drinking among the aboriginals in parts of the Central Provinces especially if its introduction were made conditional on the co-operation of headmen and elders in suppressing illicit distillation. I remain doubtful about permits for domestic consumption and for private ceremonies. Casual liquor for ordinary drinking should still have to be bought from licensed liquor shops whether in outstill pot distillery or central supply system areas. But A permits could be given for public festivals for weddings funerals and *sidi* feasts. Once the system had been established and elicited the co-operation of the aboriginals gradually the retail price of outstill and pot still liquor could be increased at the shops. The privilege of A permits should be withdrawn in any village where more than two cases of illicit distillation or smuggling had been detected in the preceding quarter but only for a quarter at a time. I think that this system should be experimented with in Dindori Tahsil the Chhindwara jagirs and Chanda zamindaris.

372 Any scheme for limiting possession by aboriginals of dried *mahu* flowers or taxing purchase of *mahu* flowers (e.g. the scheme proposed in Appendix VI of the Orissa Report) should be regarded as entirely out of the question in this province where the rights to the produce of *mahu* trees are among the main privileges safeguarded in the village administration papers of all aboriginal tracts and any restrictions would seriously interfere with the diet habits and economics of aboriginals whose freedom to store *mahu* without limit is a main safeguard against scarcity and famine.

373 In the 1935 enquiry stress was laid on the desirability of increased recruitment of aboriginal excise peons both from the wide point of view of trying to make the general body of subordinate Government servants less alien to the aboriginal villager and also from the special point of view of having aboriginal peons available to search aboriginal houses when illicit distillation or possession is suspected. Very little real effort has been made to recruit more Gond or Korku peons. Yet it still remains true that if a non Gond or non Korku searching a house enters as he must do the inner room where the ritual of the Departed is conducted and food is cooked the custom of most aboriginal tracts compels the householder whether the search has proved his guilt or not to throw away all his household pots and probably to pay some other tribal penalty for this defilement. Excise officers should be required if possible in searching aboriginal houses to take the help of respectable aboriginals of the same tribe as the suspected householder from neighbouring hamlet or villages if possible those declared excise officers under the recommendation in paragraph 368 above. The danger of such witnesses turning hostile would be obviated if District Magistrates would enforce the provisions of paragraph 286 of the Excise



FIG 20 Liquor sprinkled on the boundary godling as the bride's party reaches the border of the bridegroom's village



FIG 21 Liquor sprinkled on the bride, who has been "dumped" on the ground at the entrance to the bridegroom's village street,

Manual enjoining summary trials in the village where the offence was committed, especially during the monsoon. Where a house has to be searched without aboriginal helpers and no offence is detected, compensation should be given for the pots that have to be destroyed.

374. I advocated in 1935 the abolition of the closure of shops and restriction of sales during festivals and fairs, and urged the extension to all aboriginal areas in all districts of the special exemptions already given in Mandla, Betul and Chhindwara Districts under paragraphs 221 and 222 of the Excise Manual. In paragraph 39 of my *Mandla Notes* I reproduced with approval Mr. Verrier Elwin's suggestion that on the other hand liquor shops should be closed on bazar days, when there is always a temptation to the aboriginal to spend the little money that he has brought with him or has earned by the sale of his produce in the bazar on getting drunk in the company of non-aboriginals of the lowest type. He opposed closure of liquor shops during festivals because —

- (a) aboriginals do not keep festivals on any fixed days, spreading their Daschra, for example, over a month by observing it on different days from village to village, and their Phag lasting as long as the seasonal spirit of revelry moves them,
- (b) it would be strongly resented as yet another invasion of the little liberty left to them, and
- (c) it would only lead to them, in their determination to have liquor for their festivals, hoarding it in advance or illicitly distilling it for the occasion.

Of the truth of these propositions there can be little doubt in the mind of anyone who accepts as typical my personal eye-witness account of Diwali drunkenness in Baihar Tahsil in 1940, in paragraphs 27-30, 32, 37 and 44-45 of *The Aboriginal Problem in the Balaghat District*. The only festivals on which liquor shops should be closed in aboriginal villages are the local *Mandai* and *Meghnath* festivals and other purely local *jatra*. Besides closing them on market days, I would close them also on the evening before and the morning after them. I would only reimpose the closure of liquor shops on festival days in any area in which the system of permits for occasional distillation outlined in paragraph 371 above had been introduced.

375. The measures advocated in the preceding paragraphs of this Chapter should once and for all put an end to the distressing sight of jails full of aboriginals punished for statute-book excise "crimes" in which they see no moral guilt. Meanwhile it should be recognised that on the whole there is a fairly wise discretion shown by Courts. The Jaldand case, however, described in paragraph 27 of my *Balaghat Report* is still far from unique. District Magistrates and Sessions Judges must require magistrates to follow the wise directions of the Excise Manual as to punishment of excise crime. Above all, trials should whenever possible be held on the spot, and must be promptly decided. This of course applies to all criminal cases affecting aboriginals as parties or witnesses. The District Magistrate of Mandla (Mr. Hyde) acted on the suggestion in paragraph 48 of my *Mandla Notes* that each subordinate magistrate should submit to the District Magistrate a monthly return of cases in which he

convicts aborigines and found this a valuable guide to uniformity and scale of penalties and to duration of cases

376 As to propaganda excise changes should seldom be adopted in an aboriginal area without full previous consultation of the aborigines. This point has been dealt with in paragraph 361 above. In paragraph 359 I have advocated official guidance and encouragement of tribal temperance movements. For real success we must secure the co-operation of headmen and elders and tribal panchayats or whatever panchayats emerge from the policy advocated in the later chapter on Political Education and I believe that the best way of doing this will be by trusting them to prevent abuse of the new excise reforms or privileges advocated above by putting them on their honour to suppress illicit distillation and smuggling. I admit that in paragraph 41 of my *Mandla Notes* I repeated and accepted Mr Elwin's view that little hope is to be placed upon propaganda through tribal headmen and *panchayat* or *patel* and *muqaddam* as they are generally the heaviest drunkards in the village and the *panchayat* does nothing without getting a judgment mellowing drink before hand. But actually propaganda through these agencies in favour of temperance is quite different from getting them to help to retain certain excise privileges for their tribe by suppressing abuse of those privileges. The best places for propaganda are I agree schools and dispensaries apart from which we must rely on the advice of touring officers and social and religious missionaries. Aboriginal temperance propagandists should not be appointed at present the times are not ripe for them as in the present state of the aboriginal world they would only abuse their position to become local tyrants like Dhokal Singh and Hari Prasad Pardhan in Mandla District* or Potulal Gond in Balaghat District†. But I still think that the net revenue derived from excise in aboriginal areas or at least half of it should be earmarked for expenditure on measures for bettering their condition especially for general and temperance education. Particularly useful for the latter purpose and for general public health agricultural and nation building propaganda would be the financing of visual education by touring propagandists with cinema projectors.

377 The 1935 Excise Committee recognised that there was considerable scope for a specialised form of excise administration in aboriginal areas in consonance with the needs and the economic and social development of the aborigines and urged that the subject should receive the early attention of Government policy in those areas being solely directed towards temperance. The need for a definite policy has been intensified by the changes in the system of Government introduced by the latest reforms and the possible post war disappearance of Partial Exclusion. It is submitted that this chapter sets forth a rational policy for the future the adoption of which would set right past mistakes do much to enlist the support of the aboriginal for the rule of law and free him from interference calling to his self respect while at the same time sowing the seeds of an advance towards true temperance and self restraint.

* See *Mandla Notes* paragraph 17, 24, 41, 94.
 † See *Balaghat Report* paragraph 157.

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*See N. P. Notes re paragraphs 12, 34, 41, 92.

†See Balaghat Report p. paragraph 137.

CHAPTER XII —FOREST POLICY

“The handling of the primitive tribes who resent interference with their free use of the forest requires considerable tact and firmness”

—*Imperial Gazetteer, Central Provinces*, page 56

378 The importance of a Forest policy that is rational from the point of view of aboriginal life and economy cannot be over-emphasized in a province like the Central Provinces and Berar where almost every district has huge areas not only of State reserved forests but also of private forests, whether the huge zamindari forests of Chhattisgarh, Chanda, Balaghat, Bhandara, Chhindwara or the wide scattered *malguzari* village forests of nearly all the districts and particularly of the Jubbulpore Division. The State forests alone occupy about one-fifth of the total area of the province, and the *Imperial Gazetteer* gives the area of privately owned forests as 9,874 square miles, so that in the Central Provinces and Berar there are nearly 30,000 square miles of forest in a total area of 98,445 square miles. The greatest areas of forest occur always in the districts with most aboriginal inhabitants, as might be inferred from the fact that aboriginals are so often referred to as forest and hill tribes, or from the historical fact that the mountains and forests have for centuries been the last stronghold of the primitive peoples of India.

379 In his pamphlet *Loss of Nerve*, already frequently referred to in this report, Mr Verrier Elwin devotes to the forest question, Section IV entitled *The Loss of the Freedom of the Forest* and Section V entitled *The Disappearance of the Ritual Hunt*. In his previous writings Mr Elwin has been one of the principal critics of the forest administration of the province, chiefly however of general policy in its effect on aboriginal life, and of the levying of forced supplies and labour, and of illicit *mamul* and other exactions by forest subordinates from aboriginal villagers. Some of his criticisms have been fruitful, e.g., in securing lower forest rates for Agarria forges and the removal of the duty on white earth used in Mandla and elsewhere for white-washing cottage walls. Generally also, not entirely owing to his criticisms, but largely to enlightened pressure from Congress and other politicians, efforts have been made in recent years, particularly since the forest *satyagraha* of 1930 and the report of the Forest Committee of that year, to humanise forest administration in its bearing on the lives of villagers living in and around the forests. In Section IV of *Loss of Nerve* Mr Elwin first points out that what many tribesmen have felt more than anything else has been the loss of freedom to wander “at will in the forest, which was their home” and from which they had drawn “their material sustenance” “for hundreds of years”, so that “the reservation of vast tracts of forests, inevitable and desirable as it was, was therefore a most serious blow to the tribesman”. He continues —

“He was forbidden to practise his traditional methods of cultivation. He was ordered to remain in one village and not to wander from place to place. When he had cattle he was kept in a state of continual anxiety for fear they should stray over the boundary and render him liable to heavy fines

If he was a Forest villager he became liable at any moment to be called to work for the Forest Department. If he lived elsewhere he was forced to obtain a licence for almost every kind of forest produce. At every turn the Forest Laws cut across his life destroying his self-confidence. During the year 1933-34 there were 27,000 forest offences registered in the Central Provinces and Berar and probably ten times as many unwhipped of justice. It is obvious that so great a number of offences would not occur unless the forest regulations ran counter to the fundamental needs and sentiment of the tribesmen. A Forest Officer once said to me: Our laws are of such a kind that every villager breaks one forest law every day of his life. This means of course that the villager in relation to Government perpetually suffers from a bad conscience. He becomes both timid and obsequious and it is almost impossible to develop in his mind a sense of citizenship for he no longer feels at home in his own country.

The rest of the Section deals with Mr. Elwin's particular subject the prohibition of *bewar* or shifting cultivation. That however now affects only a relatively small proportion even of the aboriginal population, and there is no real evidence that it was ever in the past 1,000 years much practised beyond the few areas where it survives or has been prohibited during the last 80 years. Before again referring to shifting cultivation I should like to look into the inferences drawn above from the large number of forest offences. The number of these fluctuates enormously. In the quinquennia ending 31st March 1934 and 31st March 1939 respectively the provincial figures were—

Class of offence	1929—34	1934—39
Injury by fire	533	581
Unauthorized felling	10,124	12,811
Unauthorized grazing	10,361	11,577
Other offences	1,740	2,168
Total	22,258	27,137

The Chief Conservator's quinquennial review commented that—

The steady increase during the last two quinquenniums is mainly due to the economic depression. As a result of the throwing open of Government forests to free extraction of fuel grass and other minor forest produce from certain backward tracts of the province the number of forest offences has decreased considerably during the latter part of the quinquennium.

The average number of all offences for the three years ending 31st March 1937 was 24,751. This fell in 1937-38 to 25,165 and in 1938-39 to 24,266. Mr. Elwin's figure of 27,000 thus represents nearly a peak year. The old normal was considerably less than even the 1929-34 average of 22,258 besides economic depression a considerable factor in the growth of forest crime has been political agitation in 1921-22 and especially 1929-31.

when a deliberate attempt was made to fan into active lawlessness all the last smouldering embers of tribal resentment over forest restrictions. Even however if the normal figure of forest offences for nearly 20,000 square miles of forest spread over nearly 100,000 square miles of province and a population of nearly eighteen millions were as high as 25,000 a year, it would remain true, as observed at page 56 of the Central Provinces volume of the *Imperial Gazetteer of India* that "the relations with the people are generally good, and the number of forest offences is not excessive considering the extent of the forests". Moreover the figure is for the whole province, not for its three million aboriginals. The annual Forest Report unfortunately does not give separate figures for each forest division, nor have I been able in the course of this enquiry to collect figures. But my impression is that offences tend to be more numerous in the more populated tracts where well-developed villages abut on the forests and there is thus both a heavier grazing pressure (herds being larger) and a keener demand for timber and minor forest produce for building, agricultural implements and fencing materials. Nearly 11,000 of the annual crop of offences are grazing offences, the average aboriginal is not rich in cattle.

380 In paragraph 47 of my *Mandla Notes* I gave some examples of excessive fines imposed on forest offenders. Much also has been said by critics about the drastic nature of forest penalties in comparison with the poverty of the offenders. But of the 24,266 forest offences in 1938-39 as many as 20,108 (involving 50,331 persons) were compounded under section 68 of the Forest Act, and the average composition fee that had to be paid by the offenders was only Rs 4-8-10 per case and Rs 1-13-1 per person. For many minor offences no penalties are levied, and every year about fifteen hundred offences are committed by undetected persons; both classes of cases are included in the annual total of offences. Only 372 cases under the Forest Act came before the criminal courts in 1938-39, and of these 31 were subsequently withdrawn and compounded and 39 ended in acquittals. I am frankly sceptical of Mr. Elwin's suggestion that there are probably ten times as many forest offences "unwhipp'd of justice" as there are cases registered, our forest staff is not as inefficient or soft-hearted or venal as this surmise would imply nor are our villagers as lawless or as fearless of authority. The average composition fees given above are for the whole province, not for aboriginal tribes only. As, generally speaking, forest officers bear in mind the financial status of offenders, and tribesmen are the poorest offenders who come before them, it is obvious that in the province as a whole tribal forest offenders are treated lightly. It is not contended that this has always been equally so. Various steps have been taken in recent years. The reduction by 25 per cent of the privileged and ordinary grazing rates led to more cattle owners taking out grazing licences. The period allowed under the revised grazing rules for the issue of grazing licences at concessional rates was extended. Greater care has been taken over the allocation of villages to certain grazing units, and ever since the Forest Committee of 1930 forest and revenue officers in most divisions have been on the *qui vive* to remove local grievances over forest boundaries that were too

close to village sites or fields over access to water in forests or over paths and cart tracks passing through forests. Government ordered that in future cattle found grazing inside forests without licences near the boundary lines should only be driven out instead of being impounded. In 1938 it was made obligatory on all junior forest guards to pass a test showing that they understood their duties and had an adequate knowledge of the provisions of the Forest Act as to offences before they could be confirmed or receive their first increment printed lists of their duties were also issued to all forest subordinates and these two measures have made the staff more aware of the law and have done much to check excess of zeal and unnecessary harassment of the public whether from over zealousness or dishonest motives. In several recent years moreover the forests have been thrown open for the free removal of grass and other minor produce either for scarcity relief or in backward areas as a general concession under the latter head for instance in 1938-39 Government permitted in the backward tracts free extraction of fuel by head loads of grass (from localities where the demand is small) and of *mahu* achar *tendu* *aonla* and edible roots and tubers. The theory that tribesmen are always resentful of restrictions on their former habit of removing whatever they liked from the forests might be viewed in the light of the fact that in that year the value of the free produce thus removed in all the backward areas of the province was only Rs. 4642. Another useful innovation suggested in Mandla District in 1940 was that the rules regulating the composition of offences should be so revised as to empower Divisional Forest Officers on tour to revise the fees recovered in cases decided by Assistants or Rangers if this amendment has not yet been promulgated this should be done immediately, I would also commend for general adoption the circular issued then by the Conservator of the Eastern Circle requiring his Divisional Forest Officers so far as their duties permitted them to enquire on tour into the facts of cases actually compounded by officers serving under them and the scale of compensation levied. Mr Maitland however pointed out justifiably with reference to certain badly handled cases of forest offences in Mandla, that there and in other forest divisions the Divisional Forest Officer with the vast areas that he is supposed to control increased by recent amalgamations of divisions with an increasing burden of work and a chronic shortage of staff intensified by reductions imposed on the Department by Government in the interests of retrenchment and by suspension of recruitment to the Provincial Forest Service simply has not the time to give to forest offence cases the detailed individual and careful examination that they require, especially in backward areas where the treatment of the aboriginal needs tact sympathy and understanding. Up to the end of August there had been in Mandla District in 1940 as many as 1757 forest offence cases reported so that often the Divisional Forest Officer or his Sub-divisional Officer had to decide 60 or 70 cases at a time. There is the further check it is true that the registers of forest offences compounded have to be placed at regular intervals before the Deputy Commissioner also but he too is a very busy man and in the rapid perusal of the entries for which only he may have time he may well fail to

spot the few cases of excessive compensation. The value of further check on tour is of course that in some cases the alleged offender pays up rather than fight the case in court, though not really guilty, at least to the extent alleged. It has been suggested more than once that a table of maximum penalties for offences on a sliding scale should be drawn up for the guidance of compounding officers, and that this might "possibly remove the oft-heard complaint that the present form of *Kabuliyatnama* is a sort of blank cheque which offenders are compelled to sign".* But such a scale seems to be impracticable: the amount of compensation is essentially a matter for the discretion of the officer dealing with the case, conditions vary enormously from district to district, what would be a small penalty in Berar or Wardha being a heavy one in Mandla or Balaghat, and even in the same forest division there are great differences of economic status, so that a fine, well within the means of a substantial landlord or tenant, might be ruinous to a labourer, whereas if there were a fixed scale both would be fined the same amount for the same offence. Investigation of sample decided cases on the spot by touring revenue and forest officers is the only practical remedy for the blank cheque complaint mentioned in the quotation just above.

381. One factor always to be remembered in any discussion of the "loss of the freedom of the forest" is the tremendous increase in the population of the backward areas, of which the table below gives some indication for some of the forest districts:—

District	Population		Increase in sixty years
	1881	1941	
Mandla	301,377	504,580	203,203
Nimar	253,921	513,276	259,355
Betul	306,796	438,342	131,546
Chhindwara-Seoni	709,343	1,034,040	324,697
Chanda	589,000	873,284	284,284
Balaghat	416,792	634,350	217,558
Bilaspur	880,878	1,549,509	668,631
Raipur	980,783	1,525,686	544,903
Drug	746,269	928,851	182,598

In the plateau districts the density of the population between 1881 and 1931 rose from 79 to 109 persons per square mile, in Nimar from 60 to 110, in Chanda from 63 to 82, in Balaghat from 117 to 158, in Bilaspur from 116 to 184, in Raipur from 101 to 157 and in Drug from 158 to 173. There was a great rise in population between the formation of the Central Provinces in 1861 and 1881, and if we had reliable population figures for the backward areas for 1861, the density increase between 1861 and 1941 would be far greater than that shown above for the period 1881—1931. The inference is that there were far fewer persons when the Forest Department was constituted and reservation first began in 1861 than in 1941 to whom there ever could have been such a

*Provincial Forest Report, 1938-39, paragraph 21

thing as the freedom of the forest. Table III appended to this Report shows how most of the aboriginal tribes have increased in strength since 1891 the increases are of course far greater between 1881 and 1941 but figures for all tribes for 1881 are not available nor have the 1941 figures been published as yet Baiga and Bhil are the only tribes to show a decrease in numbers between 1881 and 1931 but Baiga have increased in Mandla District where chiefly Mr Elwin studied them from 11 493 to 19 938 in that period the decrease in Chhattisgarh, Bhandara and Balaghat being almost certainly due to Binjhar Baiga dropping the Baiga part of their appellation and being separately enumerated as Binjhar Also another picture of the freedom of the forests as actually in vogue will be found in the early reports or, for example in the pages of Forsyth's *The Highlands of Central India* particularly pages 129 to 133 of the 1919 reprint It was inevitable in the interests of the country, that an end should be put to freedom to hack and plunder the forests at will and that all possible should be done to conserve and foster this priceless national asset

382 As observed however in paragraph 379 above the main theme of the Loss of the Freedom of the Forest Section of Mr Elwin's *Loss of Nerve* was the restrictions placed on shifting cultivation particularly as exemplified by the story of the Baiga tribe since 1861 With Mr Elwin's views I have considerable sympathy but the problem should be seen in its true proportions and it should be remembered that the *behar dahya* and *podu* cutting tribes really affected by the restrictive policy have been actually some Korku in Betul the Melghat and the jagirs of Chhindwara and Hoshangabad Bharia Bhumi in the Chhindwara jagirs Baiga in Mandla Balaghat Northern Drug and Bilaspur Kamar in South Raipur Korwa in Bilaspur and Maria in the Chanda and Drug zamindaris The restrictions have done no harm to Gond as a whole to most Korku to Halba Kavar Sawara Andh Bhil Kol Kolam or Koli I have dealt with the problem in the previous chapters particularly in paragraphs 210—212 and 276—285 above and I draw attention to my recommendations in paragraphs 278 279 and 283 More on the same subject will be found in paragraphs 49—58 of my *Mandla Notes* and in paragraphs 96—100 and 121 of *The Aboriginal Problem in the Balaghat District* The recommendations in those reports so far as they have not been repeated here in paragraphs 276—285 may be summarised as follows —

A—MANDLA NOTES

- (a) The distinction between *behar* and *dahya* should be remembered (paragraph 56)
- (b) On no account should Baiga be required to use the same *behar* clearing for more than two years at a time (paragraph 52)
- (c) The meaningless distinction between *behar* and *landu bari* plots should be given up by the Forest Department and the *behar* requirements of Jhila and other forest villages near the Baiga Chak should be met (paragraphs 55 49 58 and 72)

- (d) When sons or *lamsena* of Baiga in the Chak or elsewhere, where *bewar* is allowed, set up separate households they should be allotted separate *bewar* plots of their own (paragraph 51).
- (e) Larger areas for regular field cultivation to enable Baiga to give their *barra* lands adequate resting fallows should be allotted (paragraphs 58 and 72)

B —BALAGHAT REPORT

- (f) There should be joint investigation on tour by the Deputy Commissioner and the Divisional Forest Officer of *bewar* in the Bithli tract (paragraph 98)
- (g) *Bewar* should continue in the areas where it is now permitted (paragraph 100)
- (h) The policy of not including *bewar* income in *malguzari* assets and declining to regulate the axe-rates or interfere between landlords and cutters of *bewar*, and kindred forms of shifting cultivation, should cease, the rates should not exceed Rs 4 for the first year and Rs 2 for the second, simple *bewar* land records might be devised, if further regulation be needed it should be on the lines recommended by Mr Elwin at page 520 of *The Baiga* (paragraph 100)

383 *Dahya* cultivation by the Kamar tribe in South Raipur has been mentioned in paragraphs 281, 283 and 382 Mr Lall and Mr Noronha investigated it Being practised in contravention of section 202, Land Revenue Act, it is done by stealth, by about 100 Kamar families and occasionally by one or two Bhunjia families also; apart from occasional cuttings in Gariahand revenue inspector circle, it is almost confined to the Mainpur revenue inspector circle of Bindra-Nawagarh zamindari and there to Mohda and Jarandi villages of patwari circle 16, Satnar, Thupenga, Pathari and Themli villages of patwari circle 17, and Pharsara, Chhindola, Sihar, Jadapadar, Deodongar, Tohmeta, Kamarama, Narripani and Amlu villages of patwari circle 18 The method is *dahya*, not *bewar* about two acres of zamindari forest are cut, and the trees and forest growth are dragged to a field a quarter or a half mile away, there piled over about an acre of land and fired when dry The ashes are dug into the soil with pick-axes before sowing, either light rice, *mandia* (*eleusine coracana*) or *kodon* About 200 acres in all are felled annually, and the forest recuperates sufficiently to permit of a fresh cutting after from 7 to 10 years The trouble over any attempt to segregate the Kamar in and confine their *dahya* to one area is the frequency with which they shift their settlements but that frequency may at present be due at least partly to the knowledge that *dahya* is illegal and best concealed by frequent flittings The Raipur Divisional Forest Officer suggested that if a rotation of 14 years were allowed for each clearing, a reservation of 5,000 acres would suffice But this assumes that each clearing would provide ashes enough to fertilise the field for two years in succession. Kamar practice assumes that the ashes are enough for one year only and is probably based on age-old

experience. Moreover forest cut for one year at a time recovers more rapidly than forest cut for two successive years. The remedy would seem to be to permit *dahya* in the three patwari circles mentioned but to prohibit the cutting of trees of prohibited species fruit trees or trees above a certain girth, and to require the leaving of a minimum unfelled forest. *Dahya* can well be carried out by cutting undergrowth and boughs only. It is worth while trying in this limited area to help the survival of this very interesting and wild tribe.

384. Another interesting local form of ash cultivation is practised in the same three patwari circles and in the Deobhog tract of Bindra Nawagarh Zamindari by the Dhur Amad and Uriya Gond and known as *pharar*. An ash seed bed for rice is made by burning a patch of forest near the rice-field the young seedlings when about 1½ feet high are transplanted to the fields. The proportion of area burnt to area of field varies from 1/3 to 1/10 and the forest growth felled and burnt is either from the *abadi* jungle or rarely from a part of the Gond's own holding which he has reserved for the purpose. It is seldom that the regular zamindari forest is burnt for *pharar* but in 1941 as the crops had been poor a demand was made for permission to burn *pharar* there. While however there should be no interference with *pharar* when burnt in the *abadi* jungle or on a holding I agree that permission to extend it to the zamindari forest should be refused.

385. Section V of *Loss of Act* entitled *The Disappearance of the Ritual Hunt* somewhat summarily deals with the effect on aboriginal life of the game laws of modern times. It mentions various relaxations of the laws sanctioned in this province in favour of the aboriginals in recent years. In fact the Game Act as it now stands seems to me to be a sensible and practical piece of legislation the trouble now as always is failure to make known to the aboriginals their rights such as that of Baiga once more to carry bow and arrows and of all cultivators to shoot animals and birds in self-defence of their crops coupled with the need of constant check of the tendency of the unscrupulous minor forest revenue or police officer to extort something from the jungly by misrepresenting his trapping or hunting even of unprotected species as breaches of the Game Act or his fishing as breaking the Forest Act or the Fisheries Act. The legal position under these Acts and Rules is a subject on which forest guards and police constables need instruction and revenue officers should be instructed constantly to explain the law to villagers during their tours. The tribal hunt possibly is not yet a dead institution in some parts of the province such as the remoter Saigarh zamindaris, Bindra Nawagarh and the Bastar border of Raipur, Drug and Chanda Districts though I have been unable to verify this if it does survive then it should not be interfered with. The so-called poisoning of fish continues to be practised widely in the backwater areas though technically it is an offence—fortunately a non-cognisable one—under section 5 of the Indian Fisheries Act but I have heard of no prosecutions under this section. The position should however be regularised by the issue of notifications.

suspending the operation of this section in all the Partially Excluded Areas, in the other Drug zamindaris and in the Mahasamund and Dindori tahsils of Raipur, the Pandaria zamindari and the Lormi forests of Bilaspur, the forest tracts of Yeotmal and in most of Chhindwara, Betul, Balaghat, Bhandara and Nimar Districts. As such fishing may also be penalised by rules under section 26 (1) (i) of the Indian Forest Act, similar exemptions are necessary also for aboriginal forest villagers throughout the province. I have already recommended to Government that in extending to the province the obligations of the draft Convention for the Preservation of Wild Life in India, the reservation should be made, as in Bastar State, that "the aboriginal tribes should continue to be permitted according to their ancient custom to divert water from streams for the killing and catching of fish, to poison water for fish, and to use nets, traps and snares in the ritual hunts", compare also the observations on fishing customs in paragraphs 24 and 64 of my *Mandla Notes* and in paragraph 47 of my Balaghat Report.

386 With game sanctuaries I have dealt in paragraphs 43 and 122-23 of *The Aboriginal Problem in the Balaghat District*, where I strongly recommended the action suggested by Mr Maitland in the following quotation.—

"My own view is that the sanctuaries are a complete anomaly unless they are fenced in. At present the sanctuary at Kanha is attracting outside tigers with the result that the *barasingha*, the only really scarce species, are now getting reduced. The large herds of *chital* which get out of the sanctuary are doing immense damage to surrounding regeneration areas, e.g., at Kesli. I regard deer as an unmitigated nuisance in *sal* forest. The present sanctuary areas will never be regenerated without much expenditure on fencing. Proposals for creation of a National Park at Kanha were called for and sent up from this office. No orders have been received, presumably as the proposals involve expenditure without prospect of profit. I suggest that all sanctuaries in this province be abolished and that the previous arrangements whereby Divisional Forest Officers controlled shooting in such areas be reintroduced."

I quoted also Mr Harlow, the present Chief Conservator —

"On this subject I am a vandal myself and my views do not necessarily coincide with those of other forest officers. At the present time I can see no need for sanctuaries of this type in this province. We have very large areas of remote jungle, and in them there is no danger of extinction of any kind of game. Legal *shikar* has an almost negligible effect usually, and when there is any effect it can easily be remedied by a period of rest. Poaching is not usually a difficulty in such localities. The idea of a National Park is far in advance of its time in this province. My opinion is that there is no danger whatever of the extinction of game in the remoter forests, and there is no justification for the protection of game in small forests surrounded by cultivation. There is of course an intermediate class of forest where the question is less easy."

Since my report appeared, the Provincial Government has reviewed the whole sanctuary question. The term *sanctuary* is now replaced by the term *Game Reserve* and there the Divisional Forest Officer is now to have absolute discretion to deal with any situations that arise to the best of his ability in regard to game control, subject to report to higher authorities. Supkhar ceases to be even a Game Reserve and as of old again becomes a district officer's shooting block. The three Game Reserves are Jaroba in North Chanda Bori in Hoshangabad and the Banja Valley in Mandla. A grant of Rs 500 a year (this is much too little) is to be given to the Chief Conservator for spending on compensation to villagers and staff for injuries or for fencing etc. Lastly as the forest staff generally have been exempted from paying licence fees under the Game Act they will be freer and more ready to protect aboriginals' crops and cattle by shooting wild animals and birds incidentally also thereby increasing their own food supplies and reducing the burden of *rasad* on the villagers.*

387 The previous paragraphs of this Chapter deal with the main criticisms levelled at forest administration both sentimental and general. Now there remains from the aboriginal point of view the part played by the Forest Department in the economics of aboriginal life. Is this adequate or could more be done? As to this there has been a detailed report from every Divisional Forest Officer and Conservator on the various points raised by Sir Francis Wylie after his 1940 tour of Balaghat and Mandla Districts in the light of Mr. Synington's *Report on the Aboriginal and Hill Tribes of the Partially Excluded Areas of the Province of Bombay*. The space and time at my disposal now for bid any summary of these replies—the three Conservators' able reports are each accompanied by a summary of the divisional answers. I have already indicated my general reactions to Sir Francis Wylie's observations in my Balaghat Report particularly paragraphs 113–121. My recommendations of general application were—

(a) Motor transport of forest produce from metalled road head to rail head is economical to Government and in the interests of aboriginals the policy of stopping it should be reversed (paragraphs 252 and 116)

(b) Present grazing rates are fair and should not be reduced (paragraphs 837 and 118)

(c) The rate of wages for daily labour in forest villages in Baihar should at once be raised from 3 to 4 annas and a freer hand should be given in fixation of wages to the Divisional Forest Officer (paragraphs 51 and 111)

(d) There should be close liaison between the Forest and other nation building departments the former being the best fitted to co-ordinate nation building in semi forest localities such as the Raigarh tract (paragraph 71)

*I would repeat the recommendation in paragraph 123 of my Balaghat Report suggested by Mr. Maitland, that to meet the local demand for hunting and deer forest villages should be allowed each year to shoot a number of deer free of fee under the Game or the Forest Act this concession possibly being extended to ryotwari and even zamindari forests.

(e) Departmental working should replace contracts wherever possible, and a clause should be inserted in forest contracts prescribing minimum wages for forest labourers (paragraph 115)

(f) The Prevention of Cruelty to Animals Act should be amended in certain directions and extended to various forest areas to prevent overloading of carts and consequent loss of aboriginal cattle (paragraph 117)

(g) The remuneration of the forest *muqaddam* and *kotwal* should be improved, particularly that of the latter (paragraph 119)

(h) More forest schools should be opened (paragraph 121)

388 Some of these recommendations call for comment. The first is the question of motor transport. The war-time rationing of petrol has of course had its own effect on this except in so far as producer-gas-driven lorries have replaced petrol-driven. The matter is closely connected with carting wages, the adequacy of which was queried by Sir Francis Wylie in the light of Mr Symington's remarks. Mr H. C. B. Jollye, I. F. S., Conservator, Western Circle, observed that the fact that complaints came in immediately cheaper and quicker transport by lorry was attempted proved that cartmen had come for employment of their own free-will and had been satisfied with the rates paid. In North and South Chanda, despite the use of motor transport between Allapilli and Ballarshah, the demand for carts far exceeds the supply in a normal season, and so carts can demand their own terms. On carting from coupes to the Allapilli depot Rs 35,000 or Rs 40,000 is spent yearly, and nearly all the cartmen are forest villagers, who earn on the average 15 annas a day, a man with a good pair of bullocks has been known to earn Rs 1-8-0 a day. Overloading of carts is chronic in Chanda even now with motor transport and would be intensified were the latter to be stopped. Mr Maitland's opinion on carting v. motor transport and cartmen's wages has been reproduced in paragraph 116 of my Balaghat Report. He is commenting on Sir Francis's approval of Mr Symington's recommendation that carting rates should be separately calculated for each coupe and that a carter should be able to earn Rs 18 a month —

“The rates of carting to Lamta are worked out in great detail for every coupe being worked in the Baihar and Supkhar Ranges. I have as Divisional Forest Officer, Balaghat, spent many hours myself doing so. Piece-rates are worked out on the forest lead to forest road, forest road lead to Public Works Department road and Public Works Department road lead. As the basis for the calculation the first rates are taken to be double the second, and the second double the third. Particular difficulties on particular roads and in particular coupes are carefully considered. Piece-rates are the only practical method of payment, i.e., rates per cubic foot per journey. The statement that ‘a man with two bullocks and a cart can earn 8 annas a day’ presumably refers to an average man and an average cart working at average speed. On piece-work such as this what a man earns depends mainly on these three variables

In my opinion Balaghat and Mandla carts and their speed of working are not worth more than the rates now being paid. The cattle are miserably inefficient and the carts small and badly kept. Cartmen are by no means all aboriginals and are very independent. Some are the servants of petty contractors. In the Balaghat district mining firms have long ago given them up as being uneconomic and unreliable. The cartmen let the Forest Department down frequently. The Divisional Forest Officers of Balaghat and Mandla have contracts for the supply of sleepers to the railway and these are quite rigid. The employment of carts hence creates serious difficulties. For these reasons when I was Divisional Forest Officer Balaghat I confined their use to extraction to forward depôts on Public Works Department roads and I introduced lorry transport from these depôts to railhead. As in the Melghat the aboriginals tend to lose their skill in the use of the axe by becoming cartmen or the servants of cartmen* The Forest Department was recently forced to return to carts by direct order of Government (reference no 954-711 XI dated the 15th September 1939) and we now have the former trouble. A recent offer was made by the South Chanda timber transport contractor who uses charcoal gas lorries to transport the Balaghat division timber to Lamta at much lower rates than formerly paid to the petrol lorry contractor and roughly half the present carting rates. It comes to this that we are already paying cartmen double i.e. Rs. 4818 per year more in Baihar Tahsil alone, than we should have to pay for more efficient transport by lorries. Further the employment of cartmen gives us a burden of extra work which is almost intolerable for the reason that the reductions in staff which were only agreed to when mechanical transport was introduced have been continued (on account of lack of funds) in spite of protests by the Divisional Forest Officer. Yet it is complained the carting rates are too low.

I fully agree with Mr. Mantland. The field to be reserved for carting is the lead from the forest to the metalled road and if this be reserved it will adequately employ his carts and bullocks and generally speaking save him from the temptations to drink and other things to which constant journeys to towns must expose him. Moreover if lorries are used a good forest officer can save the aboriginal much by arranging that when they return empty from railhead they should bring back the supplies of salt, cloth and groceries needed by forest villagers at a great saving of price. I look forward ultimately to forest co-operative societies owning their own lorries, organising carting and taking contracts for minor forest produce and transport.

389. Nowhere in the course of my tours or enquiries did I receive any general complaint as to grazing rates. In Mandla Mr. Elwin considered that the only complaints were not as to rates but as to the areas where villages were permitted to graze. The rates are in fact ridiculously easy as pointed out in paragraph 118 of my Balaghat Report. Few matters have been so

*More detailed reasons are given in a letter written in September 1937 by Mr. Mantland printed as Appendix III of my Balaghat Report page 9.

exhaustively or carefully considered by Government in this or any other province as grazing rates and rules. Mr K P Sagreya I F S has very adequately surveyed the whole question in a recent pamphlet, to which attention is drawn*.

390 The question of forest wages arises in recommendations (c), (e) and (g) summarised in paragraph 387 above. First there is the question of forest villages. Mr Elwin has been quoted at the end of paragraph 378 as saying that if an aboriginal was a forest villager he became liable to be called at any moment to work for the Forest Department. There is however no true grievance here. Cases have occurred in the past of forest villages becoming deserted because of too frequent calls at unseasonable times upon the labour of the villages. But these are rare, after all a forest officer is judged largely on his ability to keep his reserve labour force, namely his forest villagers, together and contented. The introduction of departmental working has almost everywhere in recent years seen a great increase in the numbers and prosperity of forest villagers, the vast majority of whom are aboriginals. Thus since 1929-30 the population of the forest villages of the Bori, Magardha and Rahatgaon Ranges of Hoshangabad Division has risen from 7,085 owning 726 carts to 8,175 owning 1,013, since 1921 the population of 17 villages in the East and West Kalibhit Ranges of Nimar has risen from 1,764 to 3,254, and the land allotted for cultivation to some villages has often had to be increased. The Melghat shows the same tendency for Korku to settle in forest villages. In 11 sample forest villages of the Mandla, Raipur, Jubbulpore and Balaghat divisions the population has increased since 1937 in four years from 1,687 to 1,983, the increase being attributed primarily to the introduction of departmental working of the *sal* forests. Lamni village in Bilaspur was settled with 10 Baiga huts in 1895, and after stagnating for years has now since departmental work started shot up to a population of 287. The villages of the Central Circle have seen a similar increase, again attributed mainly to departmental work. Various other reasons for the popularity of forest villages are given, including the following —

- (a) dearth of land for cultivation and soil exhaustion in revenue, particularly *malguzari*, villages,
- (b) the desire to escape from the *begar* and other illicit exactions and grazing dues levied by landlords,
- (c) freedom from levy of *nazarana* by landlords,
- (d) complete freedom from moneylenders, who are not allowed in forest villages,
- (e) assured work, better wages and regular payment,
- (f) low land assessment,
- (g) very substantial grazing and *musta* concessions in forest villages,
- (h) the paternal help given in times of scarcity,
- (i) the adequate forest *taccavi* promptly disbursed,
- (j) the introduction of forest schools

*The Live-stock Problem of the Province vis-a-vis Grazing, Bulletin No 2 of the Central Provinces and Berar Forest Department, Nagpur, Government Printing, 1940, price 8 annas.

All of these are true in varying degree. It is an education often to step a mile or two from the depressed drudgery of a malguzari village into a neighbouring forest village such as Dharakoh near Betul, with its clean and cheerful villagers in better cleaner and roomier houses than their cousins in neighbouring malguzari villages. Clearly there is no justification for holding that forest villagers are the underpaid serfs of the department. The complaints such as they are arise from thoughtlessness of forest assistants and rangers in calling them out to do annual road repairs in the middle of their agricultural work or from the slowness of Government to adjust wages in a time of rising prices such as the present war. Some coincidence of forest work with agricultural work is inevitable. Mr Harlow writes justifiably —

The real difficulty arises only with plantation work and cross-draining of roads which must coincide with agricultural sowing. The plantation work of the province is small and as long as it remains so the difficulty will remain small. The cross-draining of roads can usually be done just before seed time. The next important point is road repairs which have to be done at the end of the rains and may therefore coincide with harvesting or may not. I have always imagined that the situation had been handled rather tactfully by the officers of this department by means of a system of give and take as between the needs of agriculture and the necessity of getting the roads repaired in time for the carting season. The problem is insoluble unless this compromise is allowed to stand if the intention is that the villagers shall get out of even their share of difficulty in this compromise then there is nothing for the Forest Department to say.

Mr Jollye observed that the whole road question is a matter of funds. The Department cannot do its work without roads ready at the opening of the season. The Public Works Department gets from Government Rs 500 a mile maintenance for first class and Rs 250 for second class roads, the average maintenance allotment even for ghat sections of forest roads where there is frequent heavily loaded traffic averages only Rs 30 a mile. All his forest officers complained of the piece work payments made for fire protection line clearing repairs of boundary lines and the like as well as for road repair. It is the lack of funds for which Government is responsible that leads to often inadequate payments and though other works are paid for promptly in these cases payment is generally delayed till the work is completed though long custom has generally reconciled the forest villagers to this state of affairs all agree that it should be remedied. From the Central Circle Mr H S George IFS similarly blames Government for the considerable element of truth in road complaints because it has cut the road allotments to the bone. From 1933 to 1940 the allotment for road had fallen from Rs 32,804 to Rs 31,487 in the whole Circle though in the meantime the volume of timber and fuel extracted had risen by 29 per cent from 13,157,000 to 17,121,000 cubic feet had the allotment for maintenance been raised by 29 per cent there would have been no complaint of wasted labour. Mr Maitland's forceful views on the wage question in forest villages have already been reproduced in paragraph 111 of my Balachar Report. Agreeing with Sir Francis Wylie that on a ruinous market our

relationship with the forest villager requires us "morally to see that there is no lag and that wages go up at least *pari passu* with the increase in the price of the commodities which these people have to buy", he pointed out that a lag is inevitable unless more money is made available, and a freer hand is given to Divisional Forest Officers, who have "bitter experience of the wearisome correspondence and even reprimand, which sometimes accompany the exercise of initiative, and of the deaf ear turned to requests for additional funds". We should especially see that the *muqaddam* and *kotwar* of forest villages are adequately remunerated, a matter dealt with in paragraph 119 of my Balaghat Report, where I suggested that every *muqaddam* should be given two ploughs of land free of forest land revenue and exempted from forest labour except extinguishing forest fires, and that the minimum annual contribution of the Forest Department to the remuneration of the *kotwar* should be Rs 36 a year

391 All recent experience emphasizes the recommendation (e) in paragraph 387 that departmental working should become the general rule, and that in the remaining forest contracts a clause should be inserted prescribing minimum wages for forest labourers. Generally speaking contractors are extortioners who by their system of advances aim at converting forest labourers into their bondsmen. I have already in paragraph 232 of this Report dealt with some of the malpractices of contractors in Government and in private forests, and recommended legislation to regulate contractors' advances and previous contracts by requiring them to take out a special type of licence to contract in tribal areas, and the blacklisting by forest officers of oppressive and exploiting contractors. Of contractors and departmental operations Mr Harlow has written —

"Contractors have to face fierce competition for labour, as it is rarely in excess of demand. Their contracts are usually for periods of one to two years, so that they have little opportunity of organising labour supply*. They are thus forced to obey the laws of supply and demand in fixing the rates of payment. The worst feature of the contract system as it affects the aboriginal has not been touched on. Some contractors are sound, honest and honourable men. The majority are not. They always pay the standard rates for labour, but are capable of every kind of dirty subterfuge to cheat the ignorant and illiterate employee. Short measurement and short payment for imaginary defects of work are two of the common methods, but the methods employed are numerous. The Forest Department does all it can to defeat this type of contractor, but is always fighting a losing battle. The truth of this is very obvious when one compares the villages working in departmental areas (say in Hoshangabad and Nimar) with those in contractors' areas adjoining. The villages in the Rahatgaon and Magardha ranges of Hoshangabad and the two Kalibhitis of Nimar have filled up in a remarkable fashion since departmental operations became the general rule. Our work has progressed

*This statement is unfortunately not true of contracts with owners of private forests, which are often for several years, so that the conclusion drawn from it in the next sentence of the quotation is also inapplicable to private forests

and improved because we have had more and more labour available. The villagers are happy and contented because they get fair wages and a fair deal. It is quite possible that some petty extortion does go on but I am convinced that it is reduced to a minimum under such conditions because control is so close and the remedy so obvious to the sufferer.

But if departmental working is to be extended then there must be an end to amalgamations of divisions and ranges and retrenchments of staff because it requires more staff for efficiency than the contract system.

392 As to the payment of carting rates by contractors, I agree with Mr Jollye in recommending the adoption of a suggestion of Dr Stein I F S —

The contractors' methods of payments render it possible for them or their agents to cheat the cartmen and cheating often takes place. This could be obviated by making it a condition of the contract that the carting rates should be subject to the approval of the officer empowered to make the contract and further that the payment to be made to the cartmen at the railway station should be expressed in symbols on the reverse of the *theekdari* license covering the cart in transit between the contractor's coupe and the railway station when the license is issued i.e. before the cartman leaves the coupe. The same symbols as are used on carting chalangis in departmental operations could be used for example Rs 3-3-0 could be represented by three dots followed by three vertical strokes. The cartman would then be in a position to know before he starts on his journey exactly how much he ought to receive when he arrives at the railway station. As the contractor has to keep an agent in each coupe capable of issuing *theekdari* licenses it would not be insuperably difficult for the agent to enter the cubic contents of the cart and the carting payment to be made on the license in addition to the particulars already entered.

Such a condition as well as the clause already suggested and supported by almost all forest officers prescribing the minimum wages to be paid by contractors to forest labour though necessary will be hard to enforce with the present reduced staff and at first will reduce contractors' bids.

393 The worst offenders in respect of carting and other contracts are the contractors who operate in private forests and here the check suggested in the last paragraph or any other check depending for its efficacy on the supervision of forest officers is useless. In the forests also occur the worst cases of overloading of carts. The legislation suggested in paragraphs 232 and 391 may be of some use if the revenue and police staff can enforce it. Otherwise we must depend on the measures taken to suppress bond service and reduce debt in tribal areas and on measures to transfer the carting of forest produce to or retain it for aboriginals owning their own carts. In forest villages adequate grants of forest *taccavi* for this purpose should be given and there and in private forest regions the Co-operative Department in consultation and co-operation with the Forest or the Revenue Department should endeavour to form

aboriginal carting co-operative societies. This is particularly advisable in an area such as Dindori Tahsil where carts are few and transport is almost entirely in the hands of non-aboriginal cartmen or drovers of pack-ponies and pack-bullocks. The construction and repair of aborigines' carts should in such areas be added to the purposes for which free grants of timber may be given under paragraph 116, Forest Manual, Volume I, and under any working plan sanctioned for private forests *

394 The proper maintenance of forest roads is important also from the point of view of the health of the draught cattle, bad roads intensify the evil results of overloading. What therefore are perhaps needed more than new forest roads or elaborate maintenance of existing roads are permanent causeways or hard-bottoms on river-crossings and the metalling of long sandy stretches of road, this would have the incidental advantage of greatly reducing the annual call for labour for constructing temporary crossings. This applies also of course to Public Works Department roads such as the Tamia-Hairai road in the Chhindwara jagirs, the Garchiroli-Murumgaon-Dhamtari road in the Partially Excluded Areas of Chanda and Drug Districts, the Bilaspur-Katghora road in the Bilaspur zamindaris and the Bilaspur-Mandla road.

395 The foot-note to paragraph 393 indicates that there is room for improvement in housing even in forest villages, while such villages could well be laid out as model villages to serve as an example to local bodies and enlightened landlords, as well as to Deputy Commissioners administering large ryotwari estates, improvement of housing might well be added to the objects on which Government grants for ryotwari improvements may be spent. Chapter XIII of the Forest Manual has useful provisions as to the lay-out and sanitation of forest villages and the due provision of an adequate *bari* plot for each house, such as rules (i) (c), (ii) and (iii), while rule (vii) envisages the framing of sanitary regulations for forest villages, but there are some deplorably filthy forest villages in parts of Mandla, for example, and the matter clearly needs more attention. The taccavi rules for forest villages in paragraph 69 of the Manual are fairly sound, but marriage and funeral ceremonies should be added to the objects for which loans may be given, socially unavoidable expenditure on them being, as we have seen, a common cause of aboriginal debt. The budget provision of taccavi could with advantage be increased.

396 A forward and humane policy for forest villages requires also larger grants for wells and anicuts. Mr Harlow observes that it cannot really be said that water-supply is satisfactory in any forest division, and that it is difficult everywhere in the hot weather, especially in Berar plains forests. During the 10 years ending March 31st 1941 the annual average sums spent on forest water-supply in the province have been only Rs 4,850 on new works and Rs 5,890 on maintenance. This

*Other purposes which might be listed under paragraph 116 of the Manual are (a) housing materials in any aboriginal village selected for reconstruction as a model village or in any area where planned rehousing of villagers is in progress, (b) materials for lining wells, and (c) raw materials for forest and cottage industries taught in forest schools and in aboriginal schools near Government forests.

was supplemented in 1939-40 by a special grant of Rs. 5,274 received through the Public Health Department from the Central Government's grant for rural uplift. The Conservators now estimate that they need Rs. 86,000 for new works in the next decennium which Mr. Harlow rightly considers a reasonable figure. These new wells would not greatly increase maintenance charges as properly built wells need little repair. The Forest Department should also be entrusted with funds for wells on routes outside Government forests commonly used for extraction.

397 The last recommendation in paragraph 387 was the opening of more forest schools. As however observed in paragraph 121 of my Balaghat Report the opening of the schools should really await the decisions of Government as to the general questions of control, curriculum, staff and training of teachers for aboriginal schools which form the subject matter of chapter XIV. In the Western Circle there are now 20 forest schools and the results have been encouraging, but the Conservator writes that what has been difficult, and is likely to remain so, is the dearth of teachers who know Korku or Gondi, and the overcoming of this handicap is a matter of first rate importance. In the Eastern Circle there is scope everywhere for more forest schools but a complaint that for lack of funds it has been impossible to provide the funds, the Conservator (Mr. Maitland) who as Divisional Forest Officer in Hoshangabad, Balaghat and the Melghat did much to encourage the start of schools in forest villages observes however that further extension of schools is less important now than provision of medical help through forest dispensaries. There are very few forest schools in the Central Circle, the Nagpur Wardha division for example has only one at Garpit in Arvi Range. In general more has been done for forest schools in really backward tracts where it is most difficult to get good teachers than in the plains forests where the language difficulty hardly exists. Moreover the time is rapidly approaching when the larger forest villages will not hold together without a school. Mr. Harlow writes —

In contrast with the position a few years ago only there is now a definite demand among them for education and an eagerness that is surprising. The greatest difficulty at the moment is to find suitable teachers for remote localities. The ordinary type of teacher available has no altruistic motives and though he may start in a jungly village the onset of disease in himself or his family soon extinguishes any enthusiasm that he may have had. In some forest villages the school has already become the centre of a very simple culture and is the means by which uplift is being introduced. The forest villages are prepared to help themselves and I have heard of several examples where villagers have started schools themselves. Such efforts need encouragement. The main problem will always be finance.

I recommend that pending the decisions of Government as to the general lines and control of aboriginal education grants should be made to each forest division for increasing the number of schools. The provision of buildings and teachers will

take time, but meanwhile a beginning will have been made in villages where there now are no schools, a beginning that will not be useless if the schools work on the lines of the forest school at Jaitpuri mentioned in paragraph 67 of my Balaghat Report. I am strongly opposed to the control of any forest schools in forest villages by the district councils. The best schools are those directly controlled by the Forest Department, in which all ranks of the forest services take a keen and active interest.

398 Medical relief for forest villages was stressed by Sir Francis Wylie as a principal need. I have commented on the position in paragraphs 74-77 of my *Mandla Notes*, and paragraphs 142-43 of my Balaghat Report. Sir Francis said rightly, suggesting that the control of four new dispensaries recommended by him to be opened immediately in Dindori and Baihar Tahsils should vest in the Forest Department, that as forest officers are on tour at least eight months in the year and take a genuine interest in the welfare of the aboriginal, dispensaries run by them would get nearer to the needs of the tribesmen than regular dispensaries run by the Medical Department. He urged that young doctors should be appointed on five-year contracts, and tour freely in and around the forests with unlimited supplies of quinine, their work being inspected by the Medical Department, but the entire cost of the scheme being borne by the Forest Department budget. The Chief Conservator fully recognizes the great importance of medical relief, but prefers peripatetic to stationary dispensaries and suggests for flattish country rubber-tired four-wheeler-carts and strong bullocks, while for mountainous country such as the Melghat he would prefer to try a motor even if there are inherent difficulties in such a scheme. Motors, perhaps even tyred carts, must, I fear wait for normal post-war conditions, and the difficulty of all touring dispensaries is that the medical officer must have decent quarters for his family. Hence the travelling-cum-stationary dispensary scheme outlined in paragraph 320, I consider that there should be one at least of these, paid for from the forest budget, in each major forest division.

399 Better forest roads, better planning and housing for forest villages, proper water-supply, more forest schools and greater facilities for medical aid, all would serve to remove whatever complaints the forest villager may have against the Government, now that war supplies have so increased the earnings of the department there seems to me an overwhelming moral case for requiring some part of the great profits that are being taken out of the forests being reinvested in them for these purposes. With such a policy should go insistence on greater attention to forest villages from the co-operative, agricultural, veterinary and public health staff, a similar travelling-cum-stationary veterinary dispensary paid for from the forest budget would be a fair and most useful investment in forest divisions with large scale departmental operations. These considerations all lend emphasis to recommendation (d) in paragraph 387, that there should be close liaison between the Forest Department and other nation-building departments, the former being

the department best fitted to co-ordinate nation building work in semi forest localities such as the Raigarh tract of Balaghat the adjacent parts of Mandla and the Melghat

400 One of my terms of reference dealt with the continued exaction of *rasad begar* and *mamul* of various kinds. Though really matters for consideration as general administrative problems these things can be dealt with conveniently here. These exactions are common accusations against forest subordinates and the considerations applicable to them apply *mutatis mutandis* to other departments. So far as *begar* is concerned the case against the forest official rested mainly on his use of forest labour and his power under the Land Revenue Act to require tenants of revenue villages bordering on reserved forests to clear boundary lines. With the former preceding paragraphs have dealt the boundary line difficulty has largely faded out since recent amendments of the Land Revenue Act. But all subordinates have for years tended to impress labour to assist them in carrying their touring equipage or repair their *kachcha* quarters or bring them grass and fuel. Everywhere in my tours it was impressed on me how much these exactions had ceased especially since the orders issued by the Congress Ministry and the publicity given to them. In Mandla for example I noted that everywhere I found the police well spoken of and that though I met many constables on tour I saw none accompanied by the *begari* so generally seen twenty years ago. So much is this the case that though Government has provided constables with mosquito nets they invariably leave them behind when touring because of the necessity of cutting down the weight of baggage that the constable has to carry for himself. The police have in recent years been treated very well over the provision of *pakka* quarters at almost every police station and the old requisitions of labour grass and country tiles for periodic repairs have ceased in their case. But the forest guard and forester continue to be wretchedly housed in most forest ranges and a forward policy of adequate housing of forest subordinate is essential not only for reducing labour demands in forest villages but also for the health and contentment of the forest subordinate nothing so drives him to exactions of various kinds as bad service conditions. The Forest Department should now every year have a substantial allotment of funds until all the staff are properly housed just as the Police Department had in recent years.

401 Over *begar* and forced supplies of grass for thatching and other things needed for building and repairing houses as well as exactions of *ghil mahua* and other minor forest produce by far the worst offenders now are village *malguzars*. In the zamindaris things have much improved since at the last round of settlements the right of the zamindar to levy *be ar* for farming operations and other purposes was eliminated from the village administration papers but I found in my Chanda tour Maria still carting fuel and grass for their zamindars as *be aris* though regarding it as the natural right of their feudal landlord and fellow tribesman to call on them for this assistance. So long as the call was not overdone and there was an element of mutuality in the matter (the *begari* being fed and feted by his

zamindar and treated liberally over *nistar*, seed-loans and the like), complaints were few, but as soon as zamindars began "business" methods in the management of their estates and especially their forests, trouble began. But criticism has centred on the big zamindar, himself generally an aboriginal, the real tyrant is the *malguzar* of one or more scattered villages, and he by his political and other influence seems largely to have escaped attention. Yet consider what has been said in the chapters on loss of land, debt and bond-service, and such circumstances as those described in paragraph 33 of my *Mandla Notes* —

"I learnt at Mawai, for example, that the *malguzar* there and in his 13 other adjacent villages levies grazing-dues even on cattle only passing through his villages along the Motinala-Kabirchabutra road, and that he still takes from tenants a day's *begar* for ploughing and reaping. I found his house at Mawai actually undergoing heavy monsoon repairs at the hands of a Baiga tenant and five or six Gond tenants, whom his agent declared to be paid labourers and not *begari*. He said that they were being paid $2\frac{1}{2}$ annas a day. They said that they had been forced to go to the work against their will just when they had to get their lands ready for *kharif* sowing (May 27th), the money for their wages being 'thrown at them', they had had to work for periods varying from four to seven days. Unfortunately the penal clause of the recently enacted section 88-A of the Tenancy Act cannot be applied when the forced labour is paid. This is a comparatively mild instance. It is said that at least in Dindori Tahsil most *malguzars* still take, besides their legal dues, five kinds of *begar* in the year; the whole village has to give a day's work for ploughing, sowing, reaping, threshing and bringing grass for thatching the roofs of the *malguzars'* buildings, five days in all. Many landlords also take a poll-tax of Rs. 2 per head from every landless labourer (*thalwa*) in the village, apparently merely for the privilege of living in the village. Hindu *malguzars* often demand also an additional rupee as *tika* from every household at either Holi or Diwali. Food, supplies, firewood and labour for carrying goods are constantly taken without payment by *malguzars* or their agents."

I have given further quotations about Mandla District and Betul District in paragraph 131, and could parallel these from all Central Provinces districts. I repeat the recommendations in paragraph 34 of my *Mandla Notes*, that the remedies must be more effective touring and use of sections 74 and 88-A of the Tenancy Act, the latter being amended to penalise *begar* whether paid for or not, and the taking of *begar* and other illegal exactions being made cognisable offences in tribal areas, for then the police, who have little ordinary crime to deal with there, "would be far more useful to the aboriginal and there would be a real hope of breaking down such oppression, which is bound to continue so long as such complaints are left to the chance of action being taken by an occasional touring revenue officer." Mr Elwin agrees that while there still are many complaints against Government subordinate officials, they are

far fewer than the complaints against petty zamindari underlings and malguzars agents. If zamindari forests are dealt with on the lines shortly to be mentioned, such acts will in time become as rare there as they now are becoming in Government forests under active Divisional Forest Officers. But the suppression of all such evils must depend on free touring by an adequate revenue forest and police staff reasonably free from office routine this becomes more difficult with every amalgamation of districts forest divisions and ranges ordered in pursuit of economy.

402 Sir Francis Wylie was told that supplies for touring officers remain a prime grievance of forest and other villagers. He put it in this way—

When an officer is due to arrive at a forest rest house—and let us not forget that forest rest houses are used a lot—the forest guards go out to the villages get hold of the *muqaddam* and demand so many chickens so many eggs so much ghee etc etc. The *muqaddam* goes round the village chases any chickens he may see gets hold of the requisite number of eggs by house to house visitations and takes all the ghee he needs where he can find it. He then has to go to the rest house with the forest guard to deliver the goods. No payment is however made by the officer till the day he leaves that particular rest house. Then after a long interval—three or four weeks were mentioned—the *muqaddam* is sent for and the money is handed out to him. The people spoke quite calmly about this and when I asked them straight out if payment were always actually made they said invariably there were no complaints of dishonesty on the part of either forest guards or *muqaddam*. But there were grievous complaints that the prices fixed by the Forest Department were much too low—3 annas for chickens of all sizes and 3 annas a dozen for eggs.

Sir Francis suggested that the complaint of delay in payment might be obviated either by giving the local forest subordinate an imprest or by requiring touring officers to advance money for supplies as soon as they arrive at a rest house. All forest officers favour the latter suggestion which is clearly sound and should be generally adopted for touring officers of all departments. It will not however be easy for junior and low paid officers to afford these advances and the rule would work better if an advance could be drawn for these purposes by such officers to be recouped from their travelling allowance bills for the tours concerned. Officers should advance the money either on arrival at a particular rest house or on entering a tahsil or range or other local charge in the case of a long tour. Mr Jollye rightly observes that in the end the fulfilment of the obligation of seeing that villagers get fair and prompt payment for supplies must always depend on the sense of honour (I would add also the personal care and check) of the individual that his experience has been that the standard among officers has been high in this province thanks to a long tradition handed down by officers of the old type and that personal payments for supplies and beaters are the general rule. Lists of the rates of all supplies (*nirkhnama*) with a request that officers should make

advances in small change on reaching each rest-house or camp, should be exhibited in all rest-houses and inspection bungalows and local offices, it is very important that touring officers should carry plenty of small change. The alternative is for recognized local *bantas* to be given Government advances to arrange for camp supplies at recognized halting places, I myself have often employed the system of taking a touring *banta's* shop with me from camp to camp on any long tour. Much more care needs to be taken by Tahsildars in drawing up the *nirkhnama*, one set of rates is usually entered for the whole tahsil, regardless of local differences, and the rates shown tend always to be those of the cheapest part of the tahsil.

403 Mr Maitland proposes to go further and have it laid down that all purchases made by forest subordinates should require the sanction of the Divisional Forest Officer, he has never been happy about them buying grain and even cattle from forest villagers, and is sure that this is a far more serious grievance than that mentioned by Sir Francis, though *ejusdem generis*. I agree, the suggested orders should apply to all subordinate, clerical and menial services, both Government and Court of Wards. I commend also the scheme that was adopted by the Hon J W Best, when a Divisional Forest Officer* —

"The headman of each village was given a book, in which was written an account of all dues from the village, the amount of land held by each man and the rent that he paid, the number of his cattle grazed free or on licence, and any privileges that he was given. Moreover the order was that all payments to the villagers had to be noted in the book. All this information gave a clear idea of what was happening in the village, and I was able to keep a check on my staff. But the great charter of these men was that *no one* was allowed to take any labour from a village except through the headman, anyone wanting service had to write it in the book, after which the headman was bound to supply their wants. In addition, I made it an order that when labour or anything else was required in this way, the amount paid for it had to be shown in the book as well. Those books were the greatest treasures that the villagers possessed. They soon realized their advantages. I shall never forget the joy with which a Baiga told me that when a policeman made certain demands from his village, he was asked to write them in the book, but refused to commit himself on paper. His demands were refused, and the policeman complained to his officer, who complained to me. My reply was that if the policeman's intentions were honest, he had only to write what he wanted in the book, and all would be well. It is quite true that there was not a single headman in my villages who could read what people had written, but that did not matter, the moral effect of committing themselves to paper was enough to check dishonest people."

This procedure might advantageously be standardised for all villages, not forest villages only

**Forest Life in India*, by the Honourable J W Best, OBE, pages 136-27 (London, John Murray, 1935)

404 The ultimate remedy for all questions of *begar* supplies, *mamul* and *nikas* is the fostering among tribesman of intelligent and educated self respect, let us say a combination of school education and political education. Sir Francis Wylie mentioned what happened in the Punjab where the *rasad* question once caused acute discontent to the extent that, as time passed and the people became bolder supplies could not be had in the remote rest houses at all. We must continue to educate the aboriginal up to an appreciation of the rights of a citizen. If we protect him against the *malguzar* the money lender and the exploiter we must above all weed out our own subordinates who exploit him. One of the worst commentaries on the popular experience of the subordinate official is that the aboriginal himself when given Government service is frequently the most exacting of the lot not seeing why he should not adopt the means of enriching himself that since childhood he has seen practised against his fellow tribesmen.

PRIVATE FORESTS

405 My terms of reference included also the effect upon aboriginal tribes of the administration of private forests. Since then the question of grazing and *nistar* in the zamindaris have been exhaustively surveyed in the report of Mr H S Kamath I C S * and it is the grazing and *nistar* aspects of private forest administration apart from shifting cultivation, which most immediately affect the aboriginal. His recommendations envisage the enactment of a Grazing and *Nistar* Act for the zamindaris, an Act empowering the State to take over the management of all excess wastes in zamindaris and an Act to enable zamindars to alienate their estates in whole or in part and also after the passing of the first of the proposed Acts a general revision of the estate and village administration papers of the zamindaris. While in general agreement with the proposals I am opposed to the Act enabling alienation of zamindaris at least so far as aboriginal zamindars are concerned. In the first place this proposal went right beyond the terms of reference of his enquiry and does not seem in any way to follow logically upon or be a necessary corollary of his other proposals. This is indeed admitted in paragraph 357 of his Report where Mr Kamath after repeating certain past strictures upon the zamindars says "The moral obviously is that development such as is badly needed is next to impossible under the zamindari tenure as it exists today. But the question whether it should make way for something better and more suited to the present times would appear to be beyond the scope of the present enquiry. At the same time it is felt it would not be out of place to make suggestions for improvement within the existing framework that will also tend to solve the grazing and *nistar* problem. He therefore suggests legislation on the lines of the Bindra Nawagarh I 111c Alienation Bill of 1931 which the then Legislative Council rejected. The operative clause of that Bill would have empowered the Court of Wards while managing the Bindra Nawagarh zamindari to alienate any part thereof in accordance with section 25 of the Central Provinces

* *Grazing and Nistar in the Central Provinces Estates the report of Mr H S Kamath I C S* (Nagpur Government Press 1941)

Court of Wards Act, 1899, "notwithstanding any custom to the contrary tending to establish the inalienability" of the estate Mr Kamath compares the proposed measure to "euthanasia", it would not result in the immediate break-up of all zamindaris, but would be an enabling measure of which only those zamindars would take advantage who have either no real interest in their properties or feel themselves unable to manage them, like euthanasia, it would put an end to the system painlessly "and, what is most important, only when the patient wills it" * He then summarises its probable effect upon estates held by non-aboriginals, small aboriginal estates, and the estates of the bigger aboriginal proprietors I agree with him that the disappearance of the non-aboriginal zamindar "need cause no sorrow" as "they have little in common with the majority of the people who inhabit these tracts" "to whose interests, as a rule, they pay scant regard"† As to the smaller aboriginal zamindars, he quotes the last Bhandara Settlement Report to the effect that the surviving small zamindars were usually improvident aboriginals hopelessly involved in debt, whose disappearance would not only cause no regret but would also lead to "progress" such as had at once been seen in the few villages that had already passed from their hands, Mr Kamath suggested that the smaller aboriginal proprietor elsewhere was not very different from his Bhandara counterpart The disappearance of the bigger aboriginal proprietors, he wrote,‡ would "perhaps be regretted, chiefly for sentimental reasons, by those who are inclined to view them as the picturesque representatives of a vanishing past But in fact they need not at all disappear if they are able to look after their properties with reasonable care and efficiency If, however, they cannot, no useful purpose will be served by preventing them from reducing their estates to manageable dimensions Sentimental considerations for a few individuals should not after all blind us to the urgent needs of the great mass of people" As to the proprietors that would replace the zamindars, Mr Kamath recommends that the State should have the right of pre-emption "This would indeed be the ideal solution, for it would enable us to change over at one jump from the zamindari to the raiyatwari system without having to cross the intermediate malguzari hurdle"§, if however the State did not pre-empt, the new proprietors would be ordinary malguzars, more often non-aboriginals than not, and in most cases would contribute more to provincial revenues than their predecessors There would, according to Mr Kamath, be further advantages|| —

"Here the superficial reader may perhaps ask how in view of what has been said in paragraph 360 the non-aboriginal can be allowed to take the place of the aboriginal The answer is obvious A non-aboriginal malguzar will be much less objectionable than a non-aboriginal zamindar And secondly it is better that a village should be managed well by a non-aboriginal than mismanaged or entirely ignored by an aboriginal There are other advantages besides The new-comer who is prepared to invest money in these

* *Ibidem*, paragraph 358 † *Ibidem*, paragraph 360 ‡ *Ibidem*, paragraph 364

‡ *Ibidem*, paragraph 362 § *Ibidem*, paragraph 363

generally wild tracts will in all likelihood be of an enterprising sort. The capital and perhaps also the new ideas that he might bring with him will contribute to the development of the tract

406 In all this argument there is as those who have read the chapters on loss of land and debt in this report of mine will realise hardly one thing that I can accept, save that if zamindaris are to be made alienable they must be alienable to Government so that the villages may become ryotwari a right only to preempt is not enough. But any break up of the larger estates will only lead to the introduction into these tribal tracts of more exploiters particularly if the villages be allowed to pass to non-aboriginal malguzars. I doubt whether there is a non-aboriginal malguzar who during the last forty years if not also since the formation of the Central Provinces has after buying out or elbowing out the old aboriginal proprietor done anything for the aboriginal tenantry except to make them hewers of wood and drawers of water. The ideas that they have brought in with them—those new ideas of which Mr Kamath speaks with such optimism—have always tended to the destruction or suppression of all that was good in tribal custom and culture their development of the tracts into which they have intruded themselves has by getting the aboriginal into their debt led to their steady replacement as tenants by the caste fellows of the new malguzars or by Hindus of other castes more acceptable to them. All the ideas in the last quotation from Mr Kamath can be found in old administration reports or correspondence advocating the grant of proprietary rights in the sixties of the last century—even in correspondence about the Permanent Settlement in Bengal yet it is almost universally agreed that the introduction of the malguzari system in this province was a mistake and has never fulfilled expectations even in the open developed tracts much less in the tribal areas. I have moreover explained in paragraphs 143 to 147 how the existence of an aboriginal zamindar protects his aboriginal tenants from the loss of their holdings because the creation of a tenancy in favour of a non-aboriginal is a permanent alienation of land that is illegal without the Deputy Commissioner's sanction under the Land Alienation Act. If that state of life which shall be better and more suited to the times is to be one in which the aboriginal is finally to be degraded to the status of a landless and untouchable menial few things would so expedite this as a measure that would lead to the passing of the aboriginal estates into the hands of the non-aboriginal exploiter. Make no mistake about this once such alienation becomes permissible every Shylock in Gondwana will flock to the zamindaris to tempt the aboriginal proprietors to encumber their estates. That state of the Bhandara zamindars described in the Bhandara Settlement Report mentioned in the preceding paragraph was mainly due to the fact that in Bhandara District the zamindaris were both alienable and partible unlike most of the other estates the effects of a similar lack of protection in the Baihar tahsil were described in paragraphs 101—102 of *The Aboriginal Problem in the Balaghat District* and in both districts it is only the belated application of the Land Alienation Act that has preserved the remaining estates. It is not true that there has been no development under aboriginal zamindars one

has only to compare conditions now in the Chhindwara jagirs and the zamindaris of Chhattisgarh and Chanda with the conditions in 1861, to realise how great the change has been. To the aboriginal also the fact that his "Raja"—as he will always term his zamindar, whether or not Government recognises the zamindar as a hereditary title-holder—is a Korku or a Gond or a Halba or a Maria or a Kanwar of his own tribe has great psychological value; not all of his tribe are excluded from the seats of the mighty, and a Gond may rule even over a Brahman or a Bania, and even be the final arbiter in the social disputes of Hindu castes as he is in those of his own tribe, as described in paragraph 432 of the next chapter. In many zamindaris whatever there is of education or medical relief is even now largely paid for by the zamindar; the next chapter shows how great has been the neglect of zamindari areas by District Councils, and the lack of communications and nation-building facilities generally shows how neglectful Government also has been of these areas. It is futile to blame the zamindar for a backwardness for which Government primarily and local bodies in a secondary degree are morally responsible. He has often been the sole local focus of tribal society and order. When as a further measure for buttressing the villagers' grazing and *nistar* rights the abolition of the zamindaris is recommended, let it always be remembered that generally the grazing and *nistar* grievances of the tenants have started from innovations introduced in the name of progress and businesslike management by the Court of Wards during the minority of the zamindar.

407 Nevertheless I welcome Mr Kamath's proposed grazing and *nistar* legislation in its broad outlines as in the interests of the zamindars themselves, since it should eliminate a growing and agitator-fostered source of estrangement between them and their tenants, subject however to some reasonable adjustments in favour of the zamindars where progress demands this, e.g., over the reservation of grass *birs*, since stall-feeding of cattle can only be made possible by such methods. The Act to empower Government to take over the management of "all excess wastes"—I would to avoid misunderstanding say "all zamindari forests" (except the "*abadi*" forests reserved for the immediate needs of each village)—is, I am convinced, necessary, because all the separate estate forests cannot be given efficient and scientific separate management. The climatic and economic interests of the country as a whole demand such management of all forest, public and private. Zamindars themselves have neither the scientific and commercial training and knowledge needed nor the requisite legal powers that only a Forest Act can give, nor can they afford to pay for a forest staff of the requisite standard. All attempts to manage estate forests according to working plans framed and approved under the rules made under section 202 of the Central Provinces Land Revenue Act have achieved only very partial success, and always come up against the grazing and *nistar* rights conferred by the estate or village administration papers or other private rights which can only be properly regulated or extinguished by a regular forest settlement made after the forest has been notified for reservation under a regular Forest Act. It is not possible to achieve the objective of co-ordinated and joint management of the forests of adjacent estates under the

existing Indian Forest Act Zamindars here again are not entirely to be blamed I have known of several cases of zamindars asking for the loan of forest officers to prepare working plans for their forests even occasionally depositing with Government the cost, only to be told that Government had no forest officer available for the purpose some have been blamed for working on inefficient plans prepared for them then by retired forest officers Again as in Ahiri Zamindari Court of Wards or district orders have suddenly prohibited shifting cultivation without thinking out what steps must be taken if the woodlands are in future to be managed for their forest crop and not as a source of ash fertilizers for cereal crops But above all I desire to see the aborigines of the zamindaris given the economic security that comes from large-scale departmental operations such as those at Bori and other parts of Hoshangabad or at Allapilli in South Chanda (itself actually in a zamindari leased forest) and the zamindars themselves helped to the financial security that will come from the proper pooling and management of their forest resources Nowhere is the aboriginal so much at the mercy of the forest contractor as in private forests where there is no Forest Act and no legally empowered Forest Officer to protect him from the free operation of the law of contract In paragraphs 278-279 above I have mentioned my talks with the Maria of the Chanda zamindaris who know how the Allapilli operations have saved them from debt and distress as to the possibility of other Allapillis nearer their homes in other parts of the zamindaris if only proper conservancy and *taungya* plantation could be introduced I found a conference of the aboriginal zamindars of Garchiroli and the Partially Included Areas of Drug at Murumgaon on New Year's Day 1941 quick to appreciate the benefits that might result to them from the creation of a Zamindari Forest Division under a Government Divisional Forest Officer managing their forests for them and dividing the net income proportionately among them They have realised the inadequacy of section 202 of the Land Revenue Act and have suffered from thoughtless action taken against them under that section when their tenants have technically broken the rules by breaking up forest land for shifting or permanent cultivation and are also apprehensive of the effect on their forests of the lawlessness engendered by the Dondi Lohara agitation If therefore the reasons for which I hail Mr Kamath's proposed legislation as outlined in Chapter XVII of his Report differ somewhat from his reasons I am convinced nevertheless of the essential soundness of his proposals Not the least benefit will be the replacement in these forests of the hordes of eurious zamindari underlings by a disciplined forest service and there is no set of men throughout India that has done so much with such understanding for the aboriginal as the forest officers of the Central Provinces and Berar

408 Unfortunately Mr Kamath's proposals for grazing and *nistar* and the control of private forests apply only to zamindari forests since his terms of reference were confined to them One further important reason for objecting to his Bill for making zamindaris alienable village by village to *malhuzars* is that the *malhuzar* is a far worse tyrant in regard to grazing and *nistar* than the zamindar at least the big zamindar Once an estate

is broken up, the aboriginal instead of being free to graze his cattle or take his *nistan* over a wide area, often on payment of an easy commutation due to one master, will find himself restricted to one small area or having to pay excessive grazing rates to a number of village *malguzars*. In paragraph 267 of his Report Mr Kamath met the criticism that unless his restrictive methods were introduced in the *malguzari* areas also the status of *zamindars* would suffer in comparison with that of *malguzars*. He was told that the evils he sought to remedy were wider-spread in *malguzari* areas than in the *zamindaris*, and pointed out therefore that this only meant that sooner or later the remedies would have to be applied to *malguzari* areas also. In my view the remedies should be applied simultaneously in both areas, and the problem is more urgent in the large *malguzari* estates held by moneylenders and others in parts of Hoshangabad, Betul, Balaghat, Chhindwara and Mandla than in several *zamindaris*, many of these areas are as poor and wild as the *zamindaris*, *pace* Mr Kamath's argument in the last paragraph of his main report for priority of legislation for the *zamindaris*. So far as gross mismanagement of forests is concerned, I should doubt whether anything in any *zamindari* is as bad as the reckless exploitation of the *malguzari* forests adjoining the Nerbada valley, especially in Narsinghpur Sub-division, where this is fast leading to loss of magnificent alluvial agricultural land on account of sheet and gully erosion. The rapid disappearance of *malguzari* forest before the axe of the charcoal burner is hastening the day when the aboriginal can no longer earn his keep by his axe, as well as making it possible that in the not so very distant future stretches of the fertile valleys of the Nerbada and her tributaries may be lost to the cultivator like the terrible gully mazes along the Chambal between Gwalior and Agra.

PART IV
POLITICAL AND GENERAL EDUCATION
AND CONCLUSION

‘Et deinde philosophare’

CHAPTER XIII —POLITICAL EDUCATION, LAW AND JUSTICE

"The only government which can fully satisfy all the exigencies of the social state is one in which the whole people participate, that any participation, even in the smallest public function, is useful, that the participation should everywhere be as great as the general degree of improvement of the community will allow, and that nothing less can be ultimately desirable than the admission of all to a share in the sovereign power of the state. But since all cannot, in a community exceeding a single small town, participate personally in any but some very minor portions of the public business, it follows that the ideal type of a perfect government must be representative."

*J S Mill, Considerations on
Representative Government (1861)*

409 This chapter covers in part terms (a), (b), (h) and (i) of my terms of reference, and in particular the matters dealt with in my first and second questionnaires. The law and justice aspect of the problem is dealt with somewhat briefly as a branch of the wider problem of political education, and in the time at my disposal it has not been possible to analyse in detail the replies to questionnaire no. 1.

410 There is a general tendency on the part of the educated public to assume that if the aboriginal be given the vote, all his troubles will ultimately disappear. At present, however, there is little sign of either the aboriginal understanding the power of the vote and of his own numbers to secure representation, or of the non-aboriginal candidate interesting himself in aboriginal needs once the election is over, until another election begins to impend, there are of course honourable exceptions to this.

411 In the provincial legislature one seat only was reserved for backward areas and tribes under the Government of India Act on the advice of the Delimitation Committee. This compares with the 20 seats reserved for the Scheduled Castes. The latter are far more intelligent and politically-minded than the aboriginals, and in many ways, apart from their disappearing social disabilities, in far less need of protection. In 1931 there were 2,958,272 aboriginals compared with 3,180,175 members of the Scheduled Castes. Even the one seat reserved for backward areas and tribes is not representative of all the aboriginals of the province, it was decided that it should be restricted to the aboriginal voters of the Mandla and Seoni Tahsils. Possibly a sounder representation of aboriginal interests could have been secured had the Committee accepted the advice given by some officials that the seat should be filled by nomination so as to ensure the presence in the Assembly of an enlightened champion of aboriginal interests. The seat was however won by the progressive Gond Jagirdar of Harrai, who has always been a doughty champion of the aboriginal. In the rest of the province aboriginals succeeded in winning two seats only, the Raj-Gond Zamindar of Ahiri winning the Sironcha-Garchiroli rural general constituency and Lal Churaman Shah, a Raj-Gond malguzar from the Jubbulpore district, winning the Dindori-Niwās rural constituency. A Gond candidate for the Amarwara-Lakhnadon constituency was defeated after a good struggle by Sjt D K Mehta M L A, afterwards the Congress Finance Minister of the province.

412 It is now impossible to get complete figures of the extent to which aboriginals made use of their power of voting in the last general election to the provincial legislature. The table below compares the actual numbers of aboriginal and other voters on the electoral rolls of about half the province (excluding Muslim and special constituencies other than the Backward Areas and Tribes constituency) and the percentage of aboriginal to all voters with that of aboriginals to the total population —

Provincial Legislative Assembly

District	Number of voters		Percentage of aboriginal voters to	
	Aboriginals	Others	All voters	Total population
Mandla	36 853	16 535	69	3
Hoshangabad	3 973	71 940	5	15
Nimar	8,227	0 412	21	21
Chhindwara	33 432	53 869	39	37
Betul	13,087	28 531	31	38
Nagpur (Ramtek Tahsil)	1,341	12 493	10	14
Wardha	2 258	49 710	4	10
Chanda	7 609	61,346	11	20
Bhandara	4 950	103 408	5	12
Raipur	17 912	114 362	14	20
Drug	16,337	87 427	16	21
Total	145 979	629,553	19	23

In these areas aboriginals numbered in 1941 1 932 682 persons out of a total population of 8 258 685. Again omitting Muslim and special constituencies except the Backward Areas and Tribes constituency, these areas at the last election returned 41 members to the Legislative Assembly. On a proportionate basis the aboriginals should have had 8 members; they actually secured 3 as compared with 7 reserved for Scheduled Castes.

413 The only figures now available to show the extent to which aboriginal voters used their votes at the last election are given in the table below —

Constituency	Number of voters		Number of aboriginal voters who voted	Percentage of column (4) to column (2)
	Aboriginals	Others		
Mandla General Rural	9 659	8 879	6 303	65
Dindori Niyas General Rural	17 651	7,636	9 573	54
Mandla portion of the Mandla Seoni Backward Tribes Constituency	9 543		5 578	58
Betul Dhaingajhi and Multai General Rural Constituencies	13 057	23 531	7 160	54
Chanda Brahmapur Warora and Sironda-Gachhirol General Rural Constituencies	7 609	61 346	3 400	45

Actually the percentage of aboriginal voters who used their votes hardly differs from that of the non-aboriginals. Intelligent use of the franchise, however, was conspicuously absent. Mr. Verrier Elwin wrote of the aboriginal voter in his essay *Loss of Nerve* (page 8) as follows —

“He has the vote but little idea of how to use it. At the last elections, some of the aboriginals went to the polls believing it was something to do with the land revenue, some went to worship Mahatma Gandhi, others abstained because they were not ordered to go by the local officials. I know a leading Gond who spent the whole of the election day hiding in the bed of a dried-up stream, for he felt sure that there was a catch in the business somewhere.”

This opinion is echoed by almost every one with experience of the last elections who answered the 3rd and 4th questions of my second questionnaire. Generally speaking, aboriginals went to the poll because they were persuaded that it was a Government order that they should do so and that they would be fined if they did not, and in order to put a vote in “Gandhi’s box”. The election in fact differed little from a totalitarian election for a list of approved candidates, except in Mandla District where there was a definite move that the Gond vote should be given only to Gond candidates or to candidates who promise to help the Gond. It is of course arguable that the desire of the Gond to vote in “Gandhi’s box” meant that he had imbibed enough modern political propaganda to believe that a vote for the Congress would bring in a new era, as to the features of this new era or the means by which it would be achieved he was ignorant, and he never understood that the result of putting papers into the box would be that a certain Hindu gentleman from a distant town would be constituted his representative in the chief council of the province.

414 It is agreed by almost all who answered my questionnaire that it is difficult to find in most villages in the backward areas any aboriginal voter who can name the local representative on the Legislative Assembly, or even on the Local Board or District Council.

415 Let us turn to District Councils and Local Boards. Appendix M at the end of this Report summarises the replies received as to the composition of Local Boards and District Councils at the end of 1940. In certain cases nominated members are shown against Local Boards, although Central Provinces and Berar Act XXXII of 1939 changed section 5 of the Local Self-Government Act so as to abolish nomination and substitute for it the selection or co-option by the elected members by single transferable vote of a Muslim, a Harijan or a woman if these categories were not represented among the elected members. Some of the Local Boards at the end of 1940 appear to have been constituted before the new section 5 came into force and some after it. Amongst elected members the table includes also members nominated under section 10-A of the Act to represent circles where no candidate came forward for election, the columns for selected members include also office-bearers elected by the members from outside their own number. At that time

in the province there were only 56 aboriginal members of Local Boards out of a total of 1312 members the corresponding figures for District Council being 14 aboriginals out of 597. Of the 56 aboriginal Local Board members 45 were elected and 10 nominated the former number includes 6 appointed under section 10-A to represent circles where no candidates had come forward for election. There were also a number of circles in the very backward areas where a solitary candidate not always an aboriginal was nominated so that no election took place. In one of the most recent general Local Board elections, which took place in 1941 in Betul District nearly all the candidates throughout the district were returned unopposed as they were on the approved list of Congress candidates. The abolition of the power of nomination means a further reduction of the number of aboriginal representatives on Local Boards the new section 5 does not include aboriginals amongst the categories to be represented by co-option if no aboriginal has been elected.

416 Even when elected or nominated the average aboriginal number has been a cipher. The following quotations from my Mandla and Balaghat reports are of interest. The first* describes the success of the Gond in the 1939 Local Board elections in Mandla District—

In Mandla Local Board Gond candidates captured 4 out of 12 seats in Niwas 6 out of 11 and in Dindori 7 out of 11 a Gond again became Chairman of the Dindori Board where also in the previous election there was a Gond majority. But only four out of 18 members of the District Council are Gond. Gond and Baiga form the majority of the voters in every circle except Bamhui and Anjanla. Some 40 per cent of the electorate voted led largely by the Gond Maha Sabha on a slogan calling for the revival of the *Gondi Raj* as all their evils were due to the Hindu. So far as there was any vocalised demand it was education. In this district neither the Congress nor any other political party has much hold on the aboriginals though Congress propaganda has been active around Bichia in Mandla Tahsil. I discussed the effect of Gond electoral successes with some of the Gonds the office-bearers of the District Council a local M. L. A. and the district officials. Some six of the Local Board members are intelligent but inexperienced and the rest are dummy members. The four Gond members of the Council are intelligent. Since Dindori Local Board was captured by Gond majorities it is said to have deteriorated owing to the ignorance and incapacity of the members. I heard a miserable story of the efforts of the former Vice-Chairman to assert his authority in an enquiry against a Brahman schoolmaster while the first Gond Chairman Dhokli Singh went to jail as we have seen for cheating by abusing his authority to inflict fines etc. on non-returning aboriginals described as *Gondi raj* taxes. The danger is apathy of members when they find that the powers of local boards are limited and no foundation for a *Gondi raj*. The failure of Gond members to achieve anything.

* See the Aboriginal Problem in the Mandla District, p. 157.

might easily be turned against them at a later election. Their ignorance is pathetic, and they tend to be easily dominated by the experienced non-aboriginal member. I gathered that they would, until they have learned the ropes, favour official Chairmen. Moreover, few of these sophisticated Gonds are in any sense representative of the wider and more primitive aboriginals though those who belong to the Gond Maha Sabha outwardly parade their '*Gondi dharm*' in pointed opposition to the Hindu *dharm*, they are hinduised Gonds. A degree of nomination at least for several years to come is therefore essential if the new Gond members are to become useful representatives."

The second quotation is from paragraph 151 of *The Aboriginal Problem in the Balaghat District*—

"One would have expected several aboriginal members to be returned to the Local Boards, especially in Baihar where more than half the population is aboriginal. Actually one Gond only was elected to the Baihar Board, and he appears to be a pioneer. Information is not available as to the extent to which aboriginals used their votes at the last Assembly general elections, the records had all been eliminated. In the 1939 Local Board election in Baihar Tahsil there was a contested election in Birsa alone of the seven circles. Here too the records have been eliminated, and there is no record of how many aboriginals voted. They took no interest in the election and nearly all were ignorant of their right to vote and to nominate or stand as candidates. Not only were no Gond, Pardhan or Baiga members elected to the District Council or the Local Boards, none were nominated or co-opted. It is not surprising that no special measures were undertaken by the District Council for the aboriginals and that it has fought shy of giving figures of expenditure on aboriginal uplift or even on the different tahsils and revenue inspectors' circles. It has done nothing special for the backward peoples, nor contemplated doing anything. We have seen above that its educational policy has not considered them as a special case, and that there is no public dispensary in Baihar Tahsil except the Government dispensary at Baihar itself. So-called District Council roads are neglected. Few aboriginals are taken into District Council service."

417 No District Councils seem to have thought out plans for aboriginal uplift. In the questionnaire they were asked to give statistics of any special expenditure incurred for aboriginal uplift, and of the cost of schemes started or contemplated in aboriginal tracts for communications, improved market facilities, education, public health (including vaccination), cottage industries and other purposes. They were asked also if they could indicate the extent of expenditure in each tahsil or taluq and if possible in each revenue inspector's circle. All have found it impossible to give details of expenditure in different areas. The District Councils of Saugor, Damoh, Jabulpore, Seoni, Wardha, Nagpur, Chanda, Balaghat, Drug, Amraoti, Buldana and Yeotmal and the Sironcha Independent Local Board stated that they had neither incurred nor contemplated

any special expenditure on behalf of aboriginals apart from the cost of maintaining in the areas inhabited by aboriginals facilities such as schools vaccination markets wells and dispensaries which also serve the general public. In areas that are predominantly aboriginal such as the Chhindwara jagirs Bhainsdehi Tahsil and other parts of Betul Sironcha Tahsil Mandla District and the Melghat it is possible to hold that the greater part of the expenditure of the District Council or the Independent Local Board concerned is expenditure for the benefit of the aboriginals. Unfortunately however things are not so easy as that it will be found almost invariably if on the aboriginal *majmuli* maps the location of schools, pounds public markets dispensaries, etc. be seen, that such facilities as are provided in the backward tracts are almost always in the predominantly non-aboriginal centres of those tracts. No local body seems ever to have realised that it has a definite obligation to help forward the most backward portion of the population in its charge or to have formulated any coherent scheme for the moral and material improvement of the aboriginals and other backward castes except for aboriginal education schemes in Mandla and Betul Districts and for improvement of village roads in Mandla and the old Chhindwara Districts.

418 The table below summarises all the special aboriginal expenditure for which District Councils and Independent Local Boards have claimed credit for the years 1936-37 to 1939-40. No column has been given for Special Aboriginal Uplift Schemes Improved Market Facilities or Other Purposes as no reply has shown any expenditure under these heads. I have omitted also the column for Cottage Industries the only expenditure under this head for which any local body takes credit is Rs. 133 recurring expenditure contemplated by the Chhindwara District Council as a grant for a basketry school at Tamia. It will be seen that the expenditure has been trifling in comparison with the gross income of these local bodies —

District Council or Independent Local Board	Communications in aboriginal areas	Education	Public Health
	Rs.	Rs. *	Rs.
Mandla	12 300 (b) (x)	13 385 (a) 12 600 (b) (m)	25 472 (b) (i)
Hoshangabad		5 750 (c)	8,500 (b)
Narsinghpur		3 060 (c)	2,337 (d)
Nimar		27 (c)	
Chhindwar	1 107 (x) (b)	1 600 (a) 6 560 (b)	792 (a) (i) } 7 75 (b) (i) } 133 5 112 (b) }
Chhindwara Mine	1 700 (a) (f)		
Betul		6 500 (i)	—
Bhandar	200 (A)		—

any special expenditure on behalf of aborigines apart from the cost of maintaining in the areas inhabited by aborigines facilities such as schools vaccination markets wells and dispensaries which also serve the general public. In areas that are predominantly aboriginal such as the Chhindwara jagirs Bhainsdehi Tahsil and other parts of Betul Sironcha Tahsil Mandla District and the Melghat it is possible to hold that the greater part of the expenditure of the District Council or the Independent Local Board concerned is expenditure for the benefit of the aborigines. Unfortunately however things are not so easy as that it will be found almost invariably if on the aboriginal *majmuli* maps the location of schools, pounds, public markets dispensaries, etc. be seen, that such facilities as are provided in the backward tracts are almost always in the predominantly non-aboriginal centres of those tracts. No local body seems ever to have realised that it has a definite obligation to help forward the most backward portion of the population in its charge or to have formulated any coherent scheme for the moral and material improvement of the aborigines and other backward castes except for aboriginal education schemes in Mandla and Betul Districts and for improvement of village roads in Mandla and the old Chhindwara Districts.

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District Council or Independent Local Board	Communications in aboriginal areas	Education	Public Health
	Rs.	Rs. ^	Rs.
Mandla	12 370 (b) (x)	13 385 (a) 12 000 (b) (m)	25 472 (b) (i)
Hoshangabad		5 750 (c)	8 500 (b)
Narsinghpur		3 000 (c)	2,337 (d)
Nimar		27 (c)	
Chhindwara	1 107 (g) (b)	1 090 (d) 6 560 (b)	792 (a) (i) 7 925 (b) (i) } 133 5 110 (k) }
Chhindwar Mines	1 70 000 (f)		
Betul		6,500 (f)	—
Bhindra	297 (k)		—

who knew no language but Maria Gondi were bored with lessons in an alien language (Marathi) while the masters who knew no Gondi and hated exile in these forest tracts frequently went sick often in fact as well as in name. At Dhanora a small school had just been re-started by the District Council after being closed for six months without a teacher—a local untrained Mahar youth had been appointed and had 17 pupils of whom only five were aboriginals—the school was a dull ineffective little institution. The Zamindar of Potegaon said that Government had sanctioned a grant two or three years previously for opening an aboriginal school there but the District Council had provided no teacher—he was paying for one from his own pocket. At Pendri in Jhara papra Zamindari the only large village in the estate there was no District Council school—there is in fact none in the estate—the Zamindar however had opened a private school with a Gondi speaking Marar master who was teaching a class of six Marar six Halba and two Pardhan boys. There are two *Vidya Mandir* at Erka in Rangli Zamindari and at Chatgaon in Khutgaon Zamindari. These have a very small attendance. At Erka the *Vidya Mandir* fields are over a mile from the institution which in outward appearance is like any ordinary primary school in any plains *basti* even down to the faded Congress flag on the roof. The *guru* was a town bred Mahar knowing no language but his Marathi mother tongue and completely ignorant of aboriginal life and customs though 22 out of the 33 boys were Maria speaking aboriginals. As I arrived they were doing some desultory spinning though there is no cotton grown anywhere near the *ru* for the boys to spin has to be sent for from Chanda and not one of the boys will spin in after life. I asked if the boys could sing and the *guru* switched them from spinning on to droning out in an appallingly dreary tone a Marathi song of which they could understand nothing. Helped by their parents I tried to get the boys to sing a Maria song and dance a Maria dance but their faculties had been so bemused by the alien regime of the *Vidya Mandir* that even with the help of their parents they were too shy or ashamed to attempt their own wonderful tribal songs and dances. There is nothing in the present curriculum that bears any relation to their tribal culture or appeals to the imagination of their parents. The *Vidya Mandir* fields are so far from the village that the boys never go there and the agricultural *jamadar* in charge never teaches them modern methods of agriculture but grows only rice for meeting the expenses of this singularly ineffective institution. In Garchiroli as in almost every Partially Excluded Area except Mandla Bhaindelhi and the Melghat there has been a complete neglect of backward areas by the District Council. The Zamindars stated that things used to be better when there was a separate Zamindari Local Board but this came to an end on the introduction of the Local Self Government Act of 1920. The District Council's justification for the neglect of the zamindaris is no doubt that its income from the cesses on the *kamlijama* of the zamindaris is very low.

420 Separate Zamindari Local Boards however have continued in Chhattisgarh in Raipur District the Zamindari Local Board for the seven estates of Bindra Nawagarh Phingeshwar Deori Suarwar Narra Kauria and Phulshar in Bilaspur District the Zamindari Local Board for the eight estates of Korba Champa

Chhuri, Kenda, Pendra, Matin, Uproia and Lapha (of which all but Champa are Partially Excluded), and in Drug District the Southern Zamindari Local Board for the five estates of Dondi-Lohara, Khujji Ambagarh-Chauki, Panabaras, Aundhi and Koracha (of which all but Dondi-Lohara and Khujji are Partially Excluded), and the Northern Zamindari Local Board for the six estates of Barbaspur, Sahaspur-Lohara, Gandai, Thakurtola, Silheti and Parpodi. These Local Boards are not independent but work like other Local Boards under the general control and as subordinate agents of the District Council. The Officer-in-Charge of the Bilaspur District Council has given information about the working and financing of the Zamindari Local Board on which the following account is based. Its headquarters are at Katghora, though the Pendra and Kenda estates are in Bilaspur Tahsil, and Katghora is not easily accessible from them (or from Matin), especially in the rains. Hence, probably, though under the rules the Board should meet six times a year, in the two years 1939-40 and 1940-41 it met only six times in all. Up to the 1938 election, the zamindari families or *diwans* more or less monopolised the seats on the Board, and these families are almost all aboriginal, though belonging to very hinduised Raj-Gond or so-called Tanwar-Kshattri families. In the 1938 election the only aboriginal member returned was the brother of the Zamindar of Uprora, but as many as five out of the eight members were returned unopposed. Except for the establishment, maintenance and management of schools and the appointment of vaccinators, the Board has been entrusted by the District Council, subject of course to its own control, with all the functions of a District Council under section 21 of the Local Self-Government Act, but has limited its powers of sanctioning estimates to a maximum of Rs 250. The area administered by the Board is almost exactly half the area of Bilaspur District, and its 1931 population about 28 per cent of that of the district, omitting the tracts recently transferred to Orissa. Omitting its due share of the Government grants, the Board area contributed to the District Council in the three years ending 1940-41 an average income of Rs 30,842, of which the chief items were Rs 12,851 cesses, and about Rs 4,800 public market dues, Rs 3,700 registration fees on cattle sales and Rs 88,100 cattle-pound receipts. The average annual expenditure in the same period was Rs 51,691, the chief items (approximate) were education (Rs 26,700), pounds (Rs 5,800), general administration (Rs 7,333, including Rs 5,333 overhead charges), medical (Rs 2,159), vaccination (Rs 2,633), veterinary relief (Rs 1,400) and civil works (Rs 1,895). The last item included about Rs 730 spent on establishment, but nothing for communications, the crying need of this vast area of 3,724 square miles. The District Council maintained in the Board area only 41 schools, an average of a school for every 91 square miles and 8,917 inhabitants, the corresponding averages for the rest of the district were 19 square miles and 4,835 inhabitants. The Council's average annual expenditure on education in the Board area worked out to 12 annas per square mile, or Rs 7-6-0 per thousand population, against Rs 36 and Rs 141 respectively in the rest of the district. Its medical and veterinary expenditure averaged Rs 4,892 (including vaccination) and Rs 1,400 in the Zamindari Board area against Rs 14,700 and Rs 4,700 respectively in the rest of the district. The District

Council received from Government annually a general purposes grant of Rs 30 610 and an education grant of Rs 84 038. Probably on a balance of its area and population proportion of the whole district the Zamindaris Local Board area should receive a third of these grants or about Rs 10 000 and Rs 28 000. On this basis its average annual income during the triennium would have been Rs 68,842 which would have exceeded its expenditure by Rs 17 151. Obviously the Partially Excluded Areas have not received their fair share of the District Council's expenditure. In view of the comparative backwardness of the zamindaris they should really receive greater attention than their mere area and population would entitle them to receive. Moreover even here it will be found that within the zamindaris the less aboriginal tracts have had more benefit from the District Council than the more aboriginal tracts.

421 In Drug District the Northern Zamindaris Local Board now has seven elected members (two from the Sahaspur Lohari estate and one each from the other five estates) and the Southern Zamindaris Local Board six (two from Ambagarh Chauki, one from Panabara and Aundhi combined and one each from the other three estates) before section 5 of the Act was amended each had one nominated member and one less elected member. The 1940 elections were held under the unamended Act. There were then two aboriginals (one a zamindar and the other a zamindar's relative) and three others returned unopposed to the Northern Board and one non aboriginal from Khujji returned unopposed to the Southern Board. There were contested elections only in the Barbaspur Zamindari of the Northern Board where an aboriginal relative of the zamindar won and in the Dondi Lohara Zamindari of the Southern Board where both the candidates were non aboriginal. In three of the Southern Zamindaris no candidate stood for election and two aboriginals and one non aboriginal were therefore appointed under section 10 A. The nominated seats on each Board were filled by an aboriginal. Thus on the Northern Board four out of seven members were aboriginals and in the Southern three out of six of the four aboriginal members of the former one was a zamindar and the other three were relatives of zamindars while only one of the three aboriginal members of the Southern Board was a zamindar. These zamindars being hinduised Raj Gond true aboriginal representation was very low.

422 The two Boards nominally held more than the prescribed minimum number of meetings but in the three years ending 1939-40 seven of the 24 meetings of the Northern Board and thirteen of the 22 meetings of the Southern Board failed because there was no quorum. In the three years the percentages of attendance of members of the Northern Board were only 48, 46 and 35 and of the Southern as low as 14, 10 and 24. Lack of interest is given as the reason for the poor attendance but a very potent contributory reason is the distance of the zamindaris from the tahsil head quarters at Bemetara and Balod respectively where these Boards share offices with the *Lhalsa* Boards of Bemetara and Sanjari Balod Tahsils. At one time when the Zamindars of Gandai and Ambagarh Chauki were Chairmen of the two Boards they used to meet at Gandai and Chauki respectively clerks and records coming each time from tahsil headquarters to attend. Even now the fact that

the Chairmen do not live at Bemetara and Balod makes it hard to secure prompt despatch of work, though each Chairman has nominated as Honorary Secretary a resident of one of these places, and the Secretaries have been given all the powers of the Chairmen, including power to sign cheques. Like the other Local Boards of Drug District, these two Boards have had delegated to them all the powers specified in the model byelaws framed under section 80 (2) (c) of the Local Self-Government Act, but Rs 700 is the most that they can sanction for original works or repairs. They use the same staff as the Bemetara and Balod Boards, but for one peon each, and do not contribute towards their pay. Working out on a mere population basis the legitimate shares of the Northern and Southern Boards of the Government grants for education, medical relief and general purposes at $6\frac{1}{2}$ and $12\frac{1}{2}$ per cent respectively, the Deputy Commissioner calculated the average income of the two Board areas in the three years ending 1940-41 as follows —

Head	Northern Board Rs	Southern Board Rs
Cesses	4,055	5,091
Interest	65	125
Cattle-pounds	1,300	1,550
Education grant	3,770	7,540
Medical grant	187	374
Private contributions	150	
Private market fees	600	27
General purposes grant	1,580	3,160
Total	11,707	17,867

He worked out the average expenditure, omitting all share of the cost of the District Council headquarters establishment and the two *khalsa* Local Boards' office staff, as follows —

Head	Northern Board Rs	Southern Board Rs
Education	3,700	7,500
Medical and Public Health	1,282	2,024
Veterinary relief	1,000	
Pounds	800	833
Civil works, repairs	630	535
Postage	10	30
Total	7,422	10,922

The expenditure items above include all pay and provident fund contributions for Council staff working in the zamindaris. If a proportion of the pay and allowances of District Council and Local Board staff, and travelling allowances of staff and District Council members were included, perhaps the expenditure of the Northern Board might go up by Rs 1,000 and of the Southern by Rs 2,000. Even then it is clear that the Drug District Council is

not spending on the zamindaris a fair share of its income. Thus the only veterinary relief in the Southern Zamindaris is provided by the Panabaras estate under the Court of Wards which also provides one of the three human dispensaries in that area. The zamindaris get fewer schools and teachers than they are entitled to and little is done for their roads. Moreover as they are the most backward parts of the district they should get much higher grants for development than the advanced plains tracts.

423 At first sight there would seem to be a good case therefore for replacing these two ineffective Zamindari Local Boards by one Independent Local Board with headquarters at Drug, the capital of the district. The Deputy Commissioner suggests that this would mean greater distances to be traversed by members attending meetings and therefore added apathy especially if the further suggestion of official office bearers on the model of the Melghat and Mines Independent Local Boards were adopted. He urges, like the Deputy Commissioners of Raipur and Bilaspur that a sounder solution would be to require the District Councils to spend more of their income on these backward areas and for Government to fix the proportion of its own grants in aid to District Councils that those bodies must spend on their backward areas. The latter suggestion was put forward in 1935 and again in my questionnaire II but one major political difficulty is this, that though it would undoubtedly be equitable that these grants should be thus re-apportioned between the advanced and the backward areas yet this could only be done by shutting down schools and other facilities in the advanced areas which have long been financed from these grants. One need not fight shy of the fact that with Independent Boards under official Chairmen and Secretaries in backward areas the few elected members would come to be ciphers or lose interest. They are now either ciphers or quite lacking in interest. Official executives would at least see that things were done and would be in economy as separate head clerks and elaborate offices and establishments would not be needed.

124 From the District Councils as they stand there is little hope of any relief for the aboriginal since he has little chance of securing election and the few aboriginals who are elected are seldom of sufficient influence, education and intelligence to be able to understand District Council and Local Board powers and procedure or to influence the other members to pay due attention to aboriginal needs. In answering Assembly question no. 171 on August 17th 1939 the Hon'ble Pandit R. S. Shukla who was then Prime Minister stated —

The nomination of aboriginal representatives on District Councils has been approved by the Local Self Government Department but unless the representatives are sufficiently educated their mere presence will not result in increasing interest being taken by the District Council in the welfare of the aboriginals. The question of establishing Independent Local Boards for aboriginal areas consisting entirely of nominated members is under consideration.

The scheduled wards are important. Almost every non-official gentleman answering my questionnaire has suggested that franchise itself teaches voters its meaning and their power and that an

elected member even if uneducated is preferable to a nominated member, perhaps on the principle of *kursi kam sikhā deti hai*. I think that the quotation earlier in this chapter from my *Manḍla Notes* disproves this. The general opinion of the majority of those who have answered my questionnaire is in favour of special measures for securing aboriginal representation, perhaps primarily by nominations, though a large volume of opinion favours Independent Local Boards entirely nominated for most backward areas. The minimum suggestion was that of Sjt D B Naik, M L A that at least the revised section 5 of the Local Self-Government Act should be amended so as to add the words "an aboriginal" after the words "a Harijan" in both sub-sections (2) and (3). This however would ensure only one aboriginal member in a Local Board, no matter how great the number of aboriginals in the group, and this man would be no more able in the future to get anything done by the Board or District Council for the aboriginals than the few elected or nominated aboriginal members of the past. What are needed in the most backward areas are therefore Independent Local Boards.

425 It cannot however be said that such Independent Boards, whether wholly nominated as suggested in the former Prime Minister's answer already quoted, or retaining an elected element as now with the addition of an official element, would provide effective training in self-government or rouse local interest in local problems. Nor has the experience of the one Independent Board already constituted on such lines, the Melghat Board, been entirely encouraging. The Chairman of that Board, the Sub-divisional Officer of Ellichpur, is indeed a bird of passage seldom holding office for more than eight or nine months, and there has been no continuity of policy, if indeed there has been any policy, behind the Board's administration. It has not aroused the intelligent interest of the aboriginals, who constitute the great majority of its electorate, and the unofficial members have been ciphers. The Board has however achieved one thing, namely, that this backward taluq does get spent on it all that it pays in cesses and other local taxes and a fair share of Government grants. That too is the best thing that can be said of the Sironcha Independent Local Board, and as a result local government institutions in Sironcha even in the Partially Excluded Ahiri Zamindari serve the aboriginal far more than the Chanda District Council does in the Garchiroli Partially Excluded zamindaris. The Maria members of the Sironcha Board are however quite illiterate and ineffective, and seem only to have learnt how to wear the European clothes and topees given them by the Zamindar, though if they see a dance started by their fellow-Maria they soon discard these for the usual dance dress!

426 On the whole I consider that the idea of Independent Local Boards for backward areas should be pursued for the present. To require District Councils to continue to administer such areas and to spend upon them fixed proportions of their income from taxes and Government grants is bound to land both the office-bearers of the District Councils and the Government of the day in political difficulties, since the voters of the open country are bound to retain for a long time far more political influence than the voters of the backward areas. Moreover where you get a

numerically strong aboriginal element in local bodies elected on the present pattern they are quite incapable of running the administration, which falls into the hands of the non-aboriginal members or the office staff as we have seen in the Dindori Local Board. In the open country there are innumerable gentlemen with experience of local government institutions. In the aboriginal country there are usually none except a few zamindars and their relatives and the chance of the latter continuing to monopolise local bodies even in zamindari areas is getting steadily less. Even in the open country the training in local government was spread over two or three generations of work with official Chairmen and members. One of the main problems of local government reorganisation in the Central Provinces is to restore the old close liaison between the district executive and the District Council executive. That underlay the proposals of the last Minister for Local Self Government. It might be urged that with nominated Independent Local Boards in backward areas it should always be possible to find disinterested non-aboriginal gentlemen able and willing to run the Board's administration. But non-officials have generally their own livelihood to earn and cannot ever be so much in touch with all parts of the areas controlled by the Board as the Revenue Officers of the tahsil sub-division and district. It is on the whole I believe best that the Chairman of an Independent Local Board should be one of the permanent Government officials charged with the Government administration of the area and I would suggest that this should normally be the Tahsildar except in a special case such as the Melghat where Ellichpur is a better centre for meetings of the Board than either Dharni, the head-quarters of the Tahsildar or Chikalda the headquarters of the Naib-Tahsildar or when the Board administers areas comprised in more than one tahsil. Outside the Partially Excluded Areas such Boards are suggested only for the areas administered by the present Zamindari Local Boards of Raipur and Drug. From the Bilaspur Zamindari Independent Local Board area I would exclude the Champa Zamindari which is not Partially Excluded and is much more advanced than the rest of the area so that it could perfectly easily be combined with the Jangir Local Board under the Bilaspur District Council. Of this body the Sub-divisional Officer should be the Chairman because two of the zamindaris are in Bilaspur Tahsil but the Tahsildar of Katghora should be the Vice Chairman and Secretary. The two Drug Zamindari Local Boards might perhaps remain as they are but be made independent under the chairmanship of the Tahsildars of Bemetara and Balod respectively. In Chanda District I suggest the abolition of the Sironcha Local Board and the amalgamation of the *khalsa* portion of Sironcha with the rest of Chanda District. All the Partially Excluded zamindaris of Garchiroli and Sironcha Tahsils including the zamindari villages of Ahiri Zamindari transferred to Garchiroli Tahsil as to which there is some doubt whether they are legally Partially Excluded or not should be under an Independent Local Board with headquarters at Chanda or Ahiri. The Chhindwara zamindaris which complained bitterly of their neglect by the Chhindwara District Council should have a Board of their own with headquarters at Tamia or Parasra under the chairmanship of the Sub-divisional Officer in charge of the district. The case of Bahar Tahsil has been dealt with in paragraphs 161-163 of my

Balaghat Report, but I now think that it would be best that the Chairman of the Baihar Independent Local Board should be the Tahsildar, as he is always on the spot. Bhainsdehi in Betul should get similar independence. In Mandla there is a functioning District Council in which however the aboriginal element is under-represented and has in the past had little voice in the executive. It would be retrograde to go back to a purely nominated body here. But there is much to be said for the Deputy Commissioner being Chairman of the District Council and for the Tahsildars of Mandla, Dindori and Niwas being *ex officio* Chairmen of those two Local Boards, and for increasing the nominated element in the District Council and all three Local Boards.

427 Where a Tahsildar or Sub-divisional Officer is *ex officio* Chairman of any Local Board he should be regarded as working in subordination to the Sub-divisional Officer and/or the Deputy Commissioner, and these superior officers should be entitled to preside over any meeting if present when it is held. So far as possible separate office staffs should be avoided and the Local Board's work should be done by one or two of the tahsil clerks or a special clerk added to the tahsil staff for that purpose. Any transferred works such as the jagir section of the Chhindwara-Narsinghpur road and Government buildings at Harrai and Batka-Khapa should be re-transferred to the Public Works Department, thus avoiding duplication in one area of engineering staff and saving the local bodies in backward areas the expense of a separate engineering establishment. Any works to be constructed on behalf of Independent Local Boards should so far as possible be undertaken by the Public Works Department on easier terms in respect of supervision charges than now charged, or by the Forest Department. Generally speaking there should be no need of separate secretaries, as the Tahsildars and their Naibs would be in charge of supervision and inspection, they already realise cesses and school rate. If there is an elected element, it should, except in Mandla District, represent the non-aboriginals only for the present.

428 This is in my view only a temporary phase of local government developments in the backward areas. I have already in my *Balaghat Report* (paragraphs 160 to 163) suggested that the best way of training in the meaning of the vote may be by the evolution of a system of indirect election in which the voters should be the *pancha* elected to regional panchayats. To this I return later. But as it may be suggested that the present Village Panchayat Act may do all that is needed, let us examine its operation in the aboriginal areas. The statistics in the table in Appendix N at the end of this Report show that the Act has been of no practical use in aboriginal areas. The table was compiled from the answers to my questionnaire, omitting Bilaspur District and Sihora Tahsil, for which no replies were received. In predominantly aboriginal villages there were only 40 panchayats in the province, of which only 15 were said to be working well, even here only seven *sarpanch* and 85 *pancha* were aboriginal though the total number of members of these panchayats cannot have been less than 500. In villages where aboriginals do not predominate there were 821 village panchayats, of which three had an aboriginal *sarpanch*, they had only 100

other aboriginal members out of a probable total of some 10 000 members. It is quite clear that the Act as it stands is practically useless in the backward areas. The villages cover large areas, are small and far apart, and are themselves, in the typical aboriginal areas, generally divided up into hamlets or *dhana*. Little effort has been made to group villages together into larger units for administration by group panchayats, and one obvious objection to this under the present Act is that in law every resident *muqaddam* or *muqaddam gumashita* of every village thus grouped must be a *pancha* *ex officio* so that at once there would be introduced into each such group panchayat a large element that had passed the test neither of election by voters or nomination in consideration of ability and influence. *gumashita* members would be either non-aboriginals or aboriginal nonentities of the type described in Chapter VI. There would even of the few seats left to be filled by election be few that aboriginals would be able to capture. Very little real administrative work is done by the average Village Panchayat for lack of funds and unwillingness to tax the villagers under the Act. A possible remedy would be to follow the example of Mysore State and some other parts of India and empower the taxpayer to commute for his panchayat tax by giving unpaid labour annually for a few days for sanitary and other village improvement work. Most of the answers to my question on this point favoured the suggestion. A major difficulty of the present Act and rules in backward areas is the requirement of written records of judicial decisions and procedure in cases tried by Village Benches and Courts and the recording of accounts and procedure. It has been generally agreed in the answers that if any system of panchayat justice is to be set up in individual aboriginal villages case records should disappear, all that is needed being a record of the decision and its execution which can as in Bastar be quite easily kept in a register at the police station on the basis of the report of the village watchman made at his weekly fortnightly or monthly visit to the station. One thing is clear, the present Village Benches and Courts are as dilatory as the worst of the old honorary magistrates' courts and in many a village some 'sea-lawyer' of a *pancha* enjoys writing a long and tedious judgment. Often at a individual *panchas* through bias for or against parties cause delay because efforts are then made to get the Deputy Commissioner to quash the jurisdiction of the Village Bench or Court. I have already suggested that all moneylenders should be disqualified from being members of any bench or court. It was made clear in my *Mandla Notes* that one of the main difficulties (and grievances) of the aboriginal is the distance to which he has to go in the backward areas to get to the Tahsildar for justice in revenue and criminal matters and the yet further distances to which he must go for the civil courts and debt relief. I have therefore advocated the freer conferral on Revenue Officers in these areas of civil judicial powers, the trial of civil cases in camp touring debt relief courts and legislation on the lines of the Bombay Mamlatdars Courts Act. All these things however touch only the fringe of this problem of giving the backward areas quicker, cheaper and more sympathetic justice. In the

second questionnaire I therefore put three questions designed to find out how far apart from statutory panchayats and courts there survived caste and tribal panchayats convened and presided over by village and group headmen, still settling matrimonial, criminal, civil and other disputes without recourse to the Courts. For the survival of strong institutions of this kind in Bastar State has made it possible there formally by Regulation to hand over to such village community panchayats jurisdiction in all simple Penal Code cases, matrimonial and defamation cases included, and in all simple civil cases. The result has been striking in reducing the work of the Courts and increasing the confidence of the people in their own institutions and in the administration of justice, even in areas where owing to the presence of a strong element of non-aboriginal traders and village lessees or tenants it was at first thought necessary to restrict the jurisdiction of the village and *pargana* panchayats (there is an appeal from decisions of the former to the latter), at the request of the non-aboriginal elements themselves these restrictions have later been removed.

429 I instanced in my questionnaire the account of the tribal headmen and panchayat system described at page 139 of the Provincial Census Report for 1911 as in force amongst the Maria of Chanda District, and asked the replies to state whether such a system is still in force there or in any other parts of the province, I reproduce the account there given as Appendix O to this Report. Before however mentioning the areas where enquiries have shown that there is still a vigorous tribal system of this kind, I would comment on a very favourite type of reply, which asserted, in the words of Mr. Kanhaiyalal M.L.A. quoted in paragraph 158 of my *Balaghat Report* —

“The *panchas* are not now trusted, and it is believed that they are biased towards one party or the other. The old saying ‘*panch parmeshwar hai*’ is not an article of faith even among the aboriginals.”

Similarly the present Provincial Village Panchayat Officer observed that the so-called tribal panchayats have now lost much of their prestige and wield very little influence amongst the aboriginals. He suggested that in Chanda the Gond zamindars had to some extent usurped the place of the headmen and disposed of some cases themselves and that such panchayats decided no civil suits or criminal cases apart from simple matrimonial and defamation cases and breaches of tribal custom. He implied that as the headmen and the elders were invariably illiterate and narrow-minded, their decisions were not likely to be satisfactory. He suggested that instead of jurisdiction being handed over to headmen and elders efforts should be made to bring them into panchayats under the Village Panchayat Act. The actual figures however of the civil and criminal cases in which aboriginals figure as parties were collected in answers to my first questionnaire. Surprisingly little use is made of the civil courts by aboriginals in any part of the province except for rent suits brought by malguzars under the unamended Tenancy Act (these were always tried by Revenue Officers invested with civil powers). In 1938-39, for example, the civil courts of the whole province dealt as between aboriginal parties with only 31 succession cases, two partition cases, nine defamation cases and 39 cases for

recovery of damages arising out of elopement or adultery. As regards criminal cases under the matrimonial and defamation sections in which both complainant and accused were aboriginals there were in the same two years in all the courts of the province only 47 cases under section 366, no case under section 366-A or 366-B 329 cases under section 497 seven cases under section 498, and 126 cases under section 500 of the Indian Penal Code and four cases under section 448 and one under section 552 of the Code of Criminal Procedure. The bulk of the section 497 cases came from the Mandla and Drug Districts and the latter district was responsible also for 53 of the defamation cases under section 500 Indian Penal Code. Obviously these cases are only a small proportion of the number of cases that actually occurred so that most of them to this day continue to be decided by tribal panchayats. The fact is that the systematic belittling or overlooking of the part played in the jurisprudence of India by these unofficial bodies is something of very long standing, dating back to the first establishment of regular courts in British India this will be clear to anyone who studies the history of the growth of the courts in this and other provinces and the failure in the face largely of lawyer opposition of the sincere attempts made by the earlier administrators, such as in this province Jenkins, Malcolm and Temple to insist upon as great use as possible of panchayats to settle all petty village disputes, civil or criminal and of reference to arbitration panchayats of the issues in the more important cases.

430 Somewhat to digress from the main theme of this chapter in my first questionnaire dealing with law and justice I offered certain suggestions for making the procedure in the present stipendiary courts more in keeping with aboriginal thought and habits. One main difficulty that besets aboriginals in succession cases and the like is the ignorance of judges magistrates and lawyers alike of aboriginal law and custom. It has been ruled that most aboriginals are not Hindus and therefore not subject to Hindu Law save in so far as it can be proved in each case that the family concerned has adopted any particular feature of Hindu Law. Therefore when such cases come before the courts the average lawyer endeavours to prove or disprove that his client's family has adopted any feature of Hindu Law which may help his case. There is no authoritative work setting forth tribal law and custom and the notes on these matters in the articles on the various tribes in Russell and Hiralal's *Tribes and Castes of the Central Provinces* are sketches and tend to generalise too much from what may have been reported in one particular area. It is not an easy matter to arrive at a consistent body of tribal customary law. It would involve throughout the province a detailed anthropological enquiry conducted over a number of years by trained enquiries making use of the genealogical and other methods supplementing the notoriously defective memory of the average aboriginal as to his immediate ancestors from the records of the various settlements that have taken place since the Central Provinces came under the British rule. There is a chapter on Barga ideas of law in Mr. Verrier Elwin's *The Barga* and in my *The Maria Groups of Bastar* Chapter XVII gives a few pages to the principles governing Maria tribal law and

custom From my own experience I know the difficulties of such an enquiry even when confined to one tribe in one place; for the whole province, with its varying degrees of hinduisation amongst the various tribes and in the various tracts, the task would involve enquiries spread over years. so rapid is the change in the tribal outlook under the impact of modern conditions that at the end of the enquiry what was true at the beginning of the enquiry might have ceased to be true That is why I stress the desirability of greater recourse to reference to arbitration panchayats of civil cases involving a decision on tribal law and custom I suggested in question no 8 of questionnaire no 1 that the aboriginal might get better and quicker justice by the adoption both for civil proceedings and matrimonial and defamation cases under the Indian Penal or Criminal Procedure Codes of some such provision as the extracts given below from the Agency Rules framed under the Scheduled Districts Act by the Madras Government for regulating civil procedure in the various Agency Tracts of that province —

“45 (1) Where any matter has been referred to arbitration without the intervention of a Court, and an award has been made thereon, any person interested in the award may apply to any Court having jurisdiction over the subject-matter of the award that the award be filed in Court

(2) (a) The application shall be in writing, and shall be numbered and registered as a suit between the applicant as plaintiff and the other parties as defendants”

(b) (Deals with court-fees, and would need much modification)

(3) The Court shall direct notice to be given to the parties to the arbitration, other than the applicant, requiring them to show cause, within a time specified, why the award should not be filed

(4) Where the Court is satisfied that the matter has been referred to arbitration, and that an award has been made thereon, the Court shall order the award to be filed and shall proceed to pronounce judgment according to the award, unless the award is illegal or defective on the face of it or tainted with the fraud of either party or the corruption or misconduct of the arbitrator

(5) Upon the judgment so pronounced a decree shall follow, and no appeal shall lie from such decree except in so far as the decree is in excess of or not in accordance with the award”

“46 (1) Whenever it shall appear to a Court before which a suit has been filed or to which a suit has been transferred or remanded that the subject in dispute or any issue in the suit is suitable for reference to arbitration, the Court may refer the suit or issue to arbitration before a panchayat of three or five members, as the Court may determine If the number of panchayatdars is three, one shall be chosen with the Court's approval by each party, and the third member, who shall preside, shall be chosen by the Court If the number of panchayatdars is five,

four shall be chosen by the parties having separate or conflicting interests in the subject in suit in the manner prescribed by the Court and the fifth member who shall preside shall be chosen by the Court. The decision of the panchayat shall be filed in Court in the form of *razinama* petition. The Court shall then satisfy itself that the terms of the *razinama* are fully understood by the parties and shall pass a decree thereon provided that the Court may after recording reasons reject a panchayat's decision which appears to be clearly unjust or inconclusive.

* * * *

53 Nothing in these rules shall be deemed to authorize an appeal from the decree passed in accordance with the award under rule 45 (5) or in accordance with the *razi nama* under rule 46.

This suggestion met with widespread support from experienced members of the judicial service and the bar.

431 The further suggestion was made in question no 9 of questionnaire no 1 that little value attaches in the case of aboriginal witnesses to the solemn affirmation which is almost invariably the only formula administered to witnesses under the Oaths Act. The answers show that some use is made in the case of aboriginals of the provisions of the Oaths Act allowing any party to or witness in any judicial proceedings to give evidence on oath in any form common amongst or held binding by persons of the race or persuasion to which he belongs and not repugnant to justice and allowing the Court to ask any party or witness whether he will make an oath proposed by the opposite party, and requiring the Court if he refuses the proposal to record as part of the proceedings the nature of the oath or affirmation proposed the facts that he was asked whether he would make it and that he refused it. A number of judges have mentioned cases in which aboriginals have won their cases through accepting a challenge to take a special form of oath. Generally speaking the answers favour an amendment of the Oaths Act empowering a court *suo motu* to propose for aboriginals or any aboriginal areas such a special oath and I would recommend that action be taken accordingly.

432 To return to the tribal panchayats my own enquiries in Chanda District show that the *sethia* and *patti* system described in Appendix O to this Report continues almost unaltered amongst the local Maras and that it would therefore be easy to apply to the Ahiri zamindars and to most of the Garchiroli zamindars the Bastar panchayat system. It does not seem to be accurate as suggested by the Village Panchayat Officer that the zamindars have usurped the authority of the *sethia* and group or *patti* panchayats. Originally the zamindar appointed or confirmed the succession of the *sethia* and might be the arbiter in a case involving parties from two different *sethia patti*. The zamindars have themselves probably in many cases descended from ancient tribal headmen and the whole zamindari system in the south east and centre of this province descends from an ancient territorial organisation one sign of which is that the zamindar is often the ultimate arbiter in caste matters. As such

he fulfils a useful function which falls into desuetude when an estate comes under Court of Wards management, during the long minority administration of Bastar State it has been provided that the corresponding function there of the Maharaja should be discharged by a connection of the Raj family who manages on behalf of the Court of Wards the estates attached to certain temples at the capital of the State, I have however never heard of any representation being made to him against the decision of any Maria panchayat

433 The report of Messrs. K B Lall I C S and R C V P Noronha I C S on conditions in the Raipur zamindaris makes it clear that there is a similar survival amongst the Gond and Bhunjia and other tribes in those zamindaris. For every village there are two or three elders or *panchas* commonly known as *sian adm* and for groups of from 10 to 40 villages a *mukhiya*, also called *naik* by the Uriya Gonds; practically all criminal, civil and tribal disputes are tackled either by the *sian adm* or the *mukhiya* and a few *panchas*. In tracts near the courts the latter are sometimes resorted to as a means of enforcing the tribal award in civil, matrimonial and criminal cases, but elsewhere the zamindar is appealed to wherever he can be approached, as in Suarmar, Deori and Fingeshwar. The *mukhiya* charges a fee varying from 8 annas to Rs 3, according to the status of the parties, and the members of the panchayat get a feast, the ultimate sanction for enforcement of the award is the threat to outcaste. The *mukhiya* or *naik* pays an annual fee to the zamindar, thus the *naik* of the Uriya Gond in Mudagaon pays the Zamindar of Bindra-Navagarh Rs 17 a year and Rs 3 *tika*. Similar survivals can be found in Bhandara and Drug Districts, and, I have no doubt, in the Bilaspur zamindaris. It may however be doubted whether in any part of the province the system is as strong as amongst the Maria. Even in the Melghat the Korku tribal panchayat effectively deals with matrimonial matters. The real fact is that it is unsound because of Hindu and Muslim views about adultery to make the adultery sections of the Penal Code applicable to most of the aboriginals of this province. Such matters are always best left to the panchayats.

434 Moreover so far as indigenous institutions survive, the village or purely local tribal panchayat does not have the last word, but there is some sort of appeal to a *sethia* or *naik* for a group of villages and sometimes even a further appeal to the zamindar. This should reassure legal purists who dislike the transfer of jurisdiction from the courts to "uneducated" village headmen and elders, and should overcome the fundamental objection that in a small village one or other of the elders is likely to be biased for or against one of the parties. Perhaps also this idea is one of those underlying the conception of *nyaya* panchayats for patwaris' circles or revenue inspectors' circles which was gaining support in provincial political circles before the start of the section 93 regime in 1939. On the whole it would be wiser not to attempt to regulate the present panchayats of village elders or tribal elders, but to leave them to function as they now are functioning, and go ahead with

schemes for group panchayats both for justice and for administration. Political opinion would probably oppose the idea that representation on these group panchayats should be by communities or castes nevertheless castes and tribes still are the principal forms of social organisation in at least the backward areas and a panchayat consisting entirely of non aboriginals in an aboriginal area or entirely of Gond in an area of mixed Gond and Korku is unlikely to command public confidence. Regular election by ballot would be too advanced at the present stage. If any attempt is made to regulate the panchayats of village elders then there should be an informal open air meeting of villagers at which the Tahsildar or Naib-Tahsildar conducting the election should secure the choice of a body of elders by informal discussion with the villagers in which he should point out the necessity of each important community in the village having a representative. If there are panchayats for patwari circles or group of villages there must be definite reservation of seats for aboriginals and again the panchas should be chosen at a general meeting of the villagers qualified to vote. The general lines of a system of this kind worked out as formal rules under the Bengal Village Self Government Act 1919 will be found at pages 59 to 65 of the Bengal Union Board Manual Volume I, but of course these rules contain no reference to measures for ensuring the representation of aboriginal or other communities and candidates are left to offer themselves for election whereas if we are to build up similar institutions in our backward areas it will be necessary by means of these informal village or circle meetings for the Tahsildar or other returning officer to persuade suitable aboriginals to stand as candidates. In time no doubt nomination of candidates and voting would become more formal operations as the people come gradually to appreciate their power of choosing members of these group panchayats and the advantage of the group panchayat being at hand to give decisions in the petty civil and criminal cases for which they now have to go to distant courts. To these panchayats could be left the enforcement of awards in matrimonial and defamation cases dealt with by the local tribal and caste panchayats. It has not been possible in this hurriedly compiled report to go into details but let it be emphasized that at the outset there is no reason why the same pattern should be insisted upon in all parts of the province different forms can be experimented with in different areas and on a review of the results a more formalised general set of rules could be drawn up after some years.

43. The best general pattern of local government institutions suitable for the backward areas if not indeed for the whole province also seems to me to be the Union Board system of Bengal. Under the Bengal Village Self Government Act the Provincial Government after consideration of the views of the District Boards and Local Boards may by notification divide the district into as many local areas as it thinks fit and declare each such local area to be a Union for the purposes of the Act. For each such Union a Board is constituted under section 6 of not less than six or more than nine members and Government has power to declare that one third of the total number of members

of the Board shall be appointed by the District Magistrate. Each Board elects its own president and vice-president, and its term of office is four years. Control over the Board is divided in a rational manner between the District Board and the District Magistrate, and there are wise provisions making the decision of the District Magistrate in many matters final, since, with so vast an expansion of the Union Boards as there has been in Bengal, it is obviously impossible for control to be centralised in the hands of the Provincial Government. Each Board is bound to impose on owners or occupiers of buildings within the Union a union rate to cover the salaries of dafedars and chaukidars and the establishment of the Board and to meet the expenses of the Board in carrying out any of the purposes of the Act, the maximum individual assessment being Rs 84 a year and all persons too poor to pay half an anna a month being exempted. The Board elects chaukidars or village watchmen and dafedars or head chaukidars. It has simple sanitary and public health powers and is empowered to make grants to primary schools, to establish primary schools and dispensaries, to assist any public library in the Union, and to undertake measures for improving water-supply and communications. The Provincial Government may appoint any two or more of the members to constitute a Union Bench or Union Court for the trial of minor criminal and civil offences. The extent to which the Union Boards have been formed in Bengal is apparent from the annual report on the working of District and Local Boards in Bengal for 1938-39, at the end of that year there were in existence 5,072 Union Boards administering an area of 58,008 square miles and a population of 41,745,898, with 6,469,387 rate-payers and 4,895,094 voters. Of 45,576 members 250 were officials and 45,361 non-officials. Union Panchayats dealt with reports of 93,674 offences and Union Courts with 72,600 suits.

436 In an organisation of this kind there is far more hope of the political training of the backward tribes than in ineffective scattered Village Panchayats. The Union Board areas would be small and compact, thus giving a reasonable chance to the voters of knowing something about the candidates. Such a system is particularly sound for areas where the tribal organisation has broken down. It seems to meet in its broad outline the ideas expressed in the following extract from paragraph 160 of my *Balaghat Report* —

“The enquiry into the nature and working of existing social panchayats in Baihar has not shown that they could be worked into a scheme of local self-government as well as of local criminal and civil justice. The population of Baihar is, generally speaking, too mixed for tribal panchayats to be able to have the wide local jurisdiction in petty civil and criminal cases that has been effectively restored to them in Bastar State, where villages and even *parganas* are often 95 per cent or more Muria, Maria, Parja or Bhattra. We should therefore need panchayats, composed of representatives of the chief local communities, for groups of villages or patwari circles, if jurisdiction in the petty cases now triable by Benches and Courts under the over-elaborate Village Panchayat Act were to be given to local elders, and if such

panchayats were to become the foundation of a truly representative Local Board, or the local agents of such a Board. The constitution of the panchayats would have to ensure representation of the chief local communities in rough proportion to their numerical strength for otherwise we might get purely Powar, Telh and Kalar bodies reigning over principally Gond and Baiga circles, or a panchayat of malguzars dealing with questions of bond service and *begar*. If there were such a body for each patwari circle with say 10 representatives we should have 450 *panchas* in Bahar Tahsil who could be the electors of an elected element in the Local Board. Indirect election will be the criticism. Yes it will be indirect in one sense but so is the so-called direct election now in so far as not one voter in fifty is directly aware of the identity of those for whom he is to vote or has any comprehension of the issues at stake or even of the process in which he plays so pathetically ignorant a part. But under the system suggested above he would have at least some chance of knowing some of the *panchas* whom he is to choose and the Board members elected by the *panchas* would have a small body of constituents for not keeping in touch with whom they would have far less excuse. This suggestion is put forward at present only as a basis for discussion. There is no reason why Government in the backward Partially Excluded Areas at least should necessarily exact uniformity in the pattern of its civic institutions and a varied process of trial and error might lead ultimately to discovery of something that could be standardised for all such areas.

This use of the body of members of Union or group panchayats as electors for the District Council and for the Provincial Legislature would ensure that the backward tribes through the experienced elders selected by them as members of the Union Boards or group panchayats selected their representatives in the legislature and the larger local bodies by an intelligent vote instead of as at present flocking like sheep into a pen to put pieces of paper into a box for no purpose intelligible to them. An additional advantage of the system would be that it would make it far easier for members of the legislature to keep in effective touch with their constituencies and would much reduce the cost of elections and the time spent on them to the advantage of Government, the public and the candidates.

437 In time under this system Local Boards would disappear and Union Boards would function directly under the District Councils. This is already happening steadily in Bengal where the approved policy is the progressive elimination of Local Boards as the Union Boards gain experience. To quote the Bengal Government's resolution on the working of District and Local Boards in Bengal during 1937-38—

With the gradual development and expansion of the system of union boards throughout the province the idea that the local boards with their present limited powers and resources have outlived their utility as intermediary institutions in the scheme of local self-government has been gaining ground and during the year under report several

district boards moved Government to abolish the local boards in their respective jurisdictions. As a result of this, the local boards in the districts of Birbhum, Dacca, Chittagong, Noakhali and Rangpur were abolished with effect from the year 1938-39, while orders have also been issued for the abolition of the local boards in the districts of Faridpur, Bakarganj and Howrah on the expiry of their present terms."

By the end of 1938-39 the number of Local Boards in Bengal had been reduced in fulfilment of this policy from 84 to 70

438 It may be suggested that such Union Boards would do much to overcome the apathy which leads to irregular attendance at meetings of Zamindari and other Local Boards. As they would function for far smaller areas, the meeting place would be near for all members, it might well prove practicable to have a Union Board for each zamindari instead of trying to group a number of zamindaris into Local Board areas. I still think however that it will be better to create the Independent Local Boards proposed for these areas consisting of *ex officio* and nominated members, at least until Union Boards begin to work effectively, as at the outset much guidance and instruction will be essential, if the Union Board system be adopted only for the Partially Excluded Areas and the zamindaris, the Independent Local Boards already suggested for these areas will be the more necessary, as it would be anomalous for the regular District Councils to control a special system devised for backward areas. Actually the Union Board system is suited for adoption throughout the province, or at least in the mixed aboriginal and non-aboriginal tracts of the plateau and other districts where aborigines constitute 25 per cent or more of the population

439 The last point to be emphasized when dealing with political education is that in any school or training college in the aboriginal areas the pupils should be trained in the meaning of local bodies and the franchise by having their own school panchayat and elections and practical instruction in civil duties and responsibilities

CHAPTER XIV —EDUCATION

"Upon the education of the people of this country the fate of this country depends"

—Disraeli, speaking in House of Commons, 15th June 1874

"The urgent need is for village schools in abundance, adapted to the needs of the villages and destined to serve them. These schools should aim at being self-contained, not merely preliminary stages to a higher school. In other words they should not be professional schools, but educational schools in the highest and best sense of the term, not alien to the community, but organically one with it."

—Diedrich Westermann, *The African Today and Tomorrow*, 1939 edition, page 219

440 My general ideas on aboriginal education were outlined in paragraphs 99 to 108 of my *Notes on the Aboriginal Problem in the Mandla District*, and paragraphs 144 to 150 of my *Balaghat Report*. I ended the *Mandla Notes* with the subject of Education because in my view everything that had preceded the section on education in the report pointed in the end to

one main desideratum, education and because it is lack of education that leaves the aboriginal so much at the mercy of his exploiters and prevents him from using his numerical superiority to control local bodies and properly influence Government through the Provincial Legislature. These ideas were developed further in my *Ialaphat Report* in which the paragraphs on education were written in the light of some of the replies to my questionnaire on aboriginal education. That questionnaire is printed as Appendix P to this Report. No questionnaire has produced so many such interesting replies. It is therefore particularly unfortunate that in the very brief time left for completion of this book I cannot possibly make a detailed study of the replies or deal with this important question of aboriginal education in the detail which it requires. In fact this question requires a separate report dealing with it alone and instead of being a chapter of the report of a single official trying to sandwich into his other official duties an investigation of all phases of aboriginal life aboriginal education should form the subject of enquiry by a special provincial committee better still an inter-provincial committee for the provinces of Bihar and Orissa as well as for this province. Bihar in particular has done most valuable pioneer work in the use of tribal languages in primary education amongst the Santal and the Munda one of the most recent productions that I have seen is an admirable *Ho Song Book* a collection planned by Mr W G Archer ICS which it is hoped will be the basis of the teaching of the oral literature of the Santal in the schools of Bihar. Such collections as *Songs of the Forest* by Elwin and Hivale show the extraordinary wealth of similar oral poetry in the Gond language available in this province and enquiries have shown that similar collections could be made of Korku and other tribal songs. My first recommendation therefore would be that the Central Provinces and Berar Government at least should now appoint a committee to advise on aboriginal education in the light of the material collected in this enquiry and separately by the Education Department. Dr G G R Hunter the present Director of Public Instruction has taken a keen interest in this matter and his ideas and suggestions bear the stamp of practicability and soundness. As other members of the Committee I would suggest Mr Verrier Elwin Rev. Father Van Dorst of the Apostolic Mission Mandla Rev. Father Steven Fuchs of the Society of the Divine Word of Khandwa a representative of the Hindustani Talimi Sangh, Mr K. P. Chattopadhyay Professor of Anthropology in the Calcutta University, and former Education Officer to the Calcutta Corporation Thakur Udai Bhanu Shah M.L.A. Jagirdar of Harrai Mr Abdul Razak Khan M.L.A. of Nagpur Mr D. B. Naik M.L.A. of Harda Chaudhari Mahendrakal M.L.A. of Mandla and perhaps Mr K. M. Dharmadhikari former Chairman of the Betul District Council. The members of the legislature have been suggested because of the interest which they have taken in the aboriginal question (Thakur Udai Bhanu Shah is of course himself a Gond). Professor Chattopadhyay has been conducting anthropological enquiries in the Central Provinces amongst the Korku. Father Van Dorst has direct experience of aboriginal education among the Gond of Mandla District and Father Fuchs among the Bhil and Korku of Central India and Nimar the

latter is also an anthropologist. I would suggest Mr. E. S. Hyde I.C.S. as secretary and member because of his intimate experience of aboriginal problems in Bastar and Mandla.

441 Much useful material will be found amongst the replies to my questionnaire. I would draw special attention to the notes drawn up by Father Van Dorst and other Catholic Fathers of the Apostolic Mission in Mandla District, to the note by Father Luchs on education amongst the Bhils and Korku, to the opinions of various forest officers received through the Chief Conservator of Forests, to some useful opinions on possible basic crafts collected by Mr. E. S. Hyde I.C.S. in the Mandla District, particularly a note of Mr. J. P. Malaviya, Extra-Assistant Commissioner, the reply sent by Mr. N. Bangaram, the Manager of the Rajabarari estate and the Timarni High School run in the Harda Tahsil by the Radhasaomi Satsangh Sabha of Agra, and to a number of very interesting opinions from several experienced District Inspectors of Schools, and from Mr. L. G. D'Silva M.B.E., the Deputy Director of Public Instruction.

442 I take this opportunity, however, to place on record some general views of my own on aboriginal education. In Appendix Q at the end of this Report will be found a table summarising some of the chief 1941 educational statistics of the aboriginals of this province. In the whole province aboriginal boy pupils enrolled constituted 21 per mille of the male tribal population, compared to non-aboriginal boy pupils who constituted 42 per mille, the corresponding figures for girls are aboriginals 1.6 per mille and others 9.7 per mille. Of the 9,041 trained and 4,416 untrained teachers of the province only 97 and 76 respectively are aboriginals. In the Partially Excluded Areas of the province out of a population of 719,205 males and 721,305 females in 1941 only 61,439 males and 7,725 females were literate, Mandla District contributing 26,174 and 3,051 of these, and Baihar Tahsil 19,004 and 3,025, figures are not available to show what percentages of these literates in the Partially Excluded Areas were aboriginal. Much has been said of educational expansion in Betul District, but Bhainsdehi Tahsil in 1941 had only 5,667 male and 370 female literates out of 52,144 males and 52,291 females.

443 The remaining statistics I must reluctantly leave to be compiled from the answers to my questionnaire by the proposed committee or by the Education Department if no such committee is appointed. Generally speaking, however, they show how far aboriginal education has lagged behind, there is only a handful of aboriginal teachers, and the schools are few and far between in comparison to the schools in the open country. There is in many parts of the province a demand for some sort of education amongst the aboriginals, but either District Councils do nothing to meet it, or where they meet it at all, open only a few more ordinary primary schools of the plains type with a Brahman or other Hindu master completely ignorant of aboriginal life to teach aboriginal children who start with no knowledge of Hindi or Marathi, and the result is the rapid death of the aboriginals' ambition for education. This is strikingly illustrated in Betul District where in recent years an attempt was made to organise

- (b) so to equip the aboriginal that he will be able not only to defend himself against those elements of civilisation that threaten to destroy or degrade him but also to take his place in this rapidly changing world and make his contribution to it and

() to improve his economic condition

446 *The Present Situation*—With no desire to condemn or criticise the work of those who for generations have attempted to bring education to the tribesmen it will clarify our thought if we examine existing conditions in the light of the above aims. After nearly ten years' experience in the jungles and hills of the Central Provinces I have come to the conclusion that the present system suffers from the following drawbacks—

(1) It is destructive of primitive life and culture. The schools are normally situated in non-aboriginal centres near police-stations or markets and the aboriginal children grow up with those who regard them and their institutions with the greatest scorn. Even where this is not so the teachers are usually urban minded regard themselves and their culture as infinitely superior to the savages among whom they have to live and either ignore or condemn their institutions. Hindu Mussalman and Christian but not aboriginal festivals are marked by school holidays. The children learn to sing and pray to alien gods but never to the old gods of the soil to whose worship they are deeply attached. They study the lives of Indian Liberals or English Viceroys but hear nothing about their own heroes or leaders. How many school boys could recite the beautiful legend of Rai Linga or say how many Gond Rajas there were in India? They are taught in a foreign language, and with the destruction of their own tongues a whole world of poetry and legend disappears. The aesthetic effect of education is wholly disastrous. How beautiful is a Gond or Baiga boy with his long curly hair his bright coloured necklaces the feathers in his hair! But the school master cuts his hair laughs at the necklaces and throws away the feathers a small round black cap replaces the becoming turban and soon filthy khaki shorts and a dirty little coat cover the eternally dressed nakedness of the brown skin!

I have recently seen this process very vividly among the Murias. Muria youth is highly organised in the *gotul* system which is an elaborate scheme of co-education and training in social duties the *gotul* is the home of tribal religion and tradition. The Muria boys are delightful to look at with their masses of beads their ear-rings and headbands the flowers and feathers carved combs and decorated pins in their hair. In half a dozen villages I have seen splendid boys who have been for a year or two to school all the charm and romance has been stripped from them they retain their membership of the *gotul* but they are too superior to join in the dances and admirable games their dress and their mentality make them incongruous and alien in their own homes. Education generally makes an aboriginal boy a stranger in his own home.

(2) Perhaps the most harmful result of education is its effect on singing and dancing. Many boys once they can read and write think themselves superior to tribal recreations. In their

place they adopt the harmful amusements of the towns. Gambling takes the place of dancing, the obscenities of Holi replace the beautiful and innocent Karma, I have seen men and women who would scorn the delightful melodies of the Dadaria songs as below them indulge in *tamashas* in which they imitate the whole process of birth from copulation to parturition.

(3) At the same time, the schools all too often introduce into tribal areas that are innocent of them social customs that are universally admitted to be bad. The aborigines have little belief in untouchability, they do not keep their women in purdha, they freely allow widow-remarriage, they have a general tradition of adult marriage. But in villages where there has been a school, the example of the teacher (who usually practises all these things) generally results in the degradation of untouchables and a lower position of women. The introduction of child-marriage into tribal areas is particularly pernicious and is one of the reasons for the light hold of the marriage tie in semi-civilised areas. The sending of large numbers of trained but "unreformed" teachers has had a disastrous effect.

(4) A number of minor points may be noted. Smart buildings which earn a good mark from the Inspector are alien to the children, as also are the normal sites. Examinations impose a quite unnecessary strain on tribal children, and result in the cramming of a minimum of largely useless knowledge at the expense of character-development. Allowance is not made for the habitual irregularity of aboriginal children or for the nomad habits of their families. I know a little girl of ten who has already been to four different schools. Crafts adapted to jungle needs are not taught.

(5) Punishments have a very bad effect on aboriginal children, corporal punishment especially. The educated aboriginal has a tendency to obsequiousness and servility and this should be checked at all costs. I have seen boys with great red weals on their bodies as a result of furious beatings by teachers, in one recent case the teacher took a Gond boy into his room, stripped him naked and, taking a knife, said he was going to castrate him as punishment for irregular attendance. Wild with terror the boy managed to escape and hid for two days without food or bedding in the jungle. Another master beat a boy so violently in the classroom that the unhappy child excreted, and the master forced him to lick the mess and then clean it before his mocking school-fellows. Students of Freud can imagine the effect on the boys' after-lives of such incidents as these.

447 "A Programme for the Future — The first necessity for any successful scheme of education among the aborigines is the creation of a special department, the taking of its control out of the hands of District Councils and private bodies, and the assumption by Government of the delicate and difficult task of applying scientific anthropological principles to the situation. A special officer should be appointed, who might be an official or non-official, who would study the situation in the light of Mr Grigson's reports and adapt education in all predominantly aboriginal areas to the new policy. If such an officer were to

discuss with me what might be done I would put the following suggestions before him —

(a) That it is necessary if we would avoid the disasters that have overtaken the aboriginals of Australia Africa and America to proceed with the utmost caution Any attempt at universal compulsory education will do far more harm than good No school should be opened unless it can be run really well with a first rate teacher and enough money to provide good equipment books buildings and material for crafts A few really good schools will be far more useful than a lot of cheap and nasty ones

(b) My experience is that one boarding hostel is worth twenty day schools The hostels that the Bhumijan Seva Mandal has run at Karanjia and Sunpuri have in my opinion been very successful in achieving what I regard as the real aims of aboriginal education There is no comparison between our hostel boys and the boys at our day schools or the neighbouring District Council schools The development of character physique independence originality and initiative is remarkable In a hostel where a team of masters can be stationed experiments can be tried and aboriginal recreation in particular can be developed I would like to see one such hostel in every aboriginal district and ultimately one in every tahsil—but there should not at least at present be more than one in each tahsil

While aboriginal education generally should be the direct charge of Government there is a decided advantage in having the hostels in charge of private bodies or others who will be living on the spot The hostels are very expensive and private bodies might well contribute their quota moreover it is not always easy to find trustworthy persons to administer the large quantities of food and clothing required at the scale of pay that would be available

(c) Buildings should be in the Gond style simple mud houses and should be situated on hill tops (*tikara*) or on the banks of rivers Once the principle is established that schools in aboriginal areas are not meant primarily for the children of officials and merchants this should not be difficult A river near by is a great boon

(d) The general ideas and scheme of the 'Wardha Basic Education syllabus seem to me much the best for aboriginals but it needs a good deal of adaptation Unhappily I do not think that the aboriginals will ever take to spinning and weaving That is the prerogative of certain castes and a Gond would be excommunicated for taking to it It would need fifty years of education to break this down It is true that you could probably get boys at school to spin but it is no use teaching something at school which is going to be useless in after life Furthermore in many aboriginal areas cotton is not obtainable

The best craft for aboriginals is carpentry but ironwork must not be added to it No Gond Baiga Korku or Bastar tribe for example will have anything to do with ironwork Instead of ironwork I would recommend two years of wood-carving It is a thousand pities that this ancient aboriginal craft has been allowed to die out The people love carved doors and pillars for their houses (there is possibly something here to do

with totemism) In Bastar I was very impressed with the elaborate carvings in many *gotuls* and houses, and I found a few carpenters who made an excellent living and could not deal with the demand

I would like to see the Bastar *masm* introduced everywhere in the Central Provinces. It is an excellent sleeping-mat, and its manufacture could easily be taught everywhere

Basket-work is useful, but some tribes object to it. The making of fish-traps, however, might well be universal. Fish forms an invaluable addition to aboriginal diet, and some of the traps in use are real works of art. To make them would be an admirable exercise of the hand and eye

Agriculture is a very difficult business for small boys, particularly on the hard and rugged soils of the hills. *Bar* or garden cultivation seems to me a much more promising form of craft. Garden-produce would sell well, beans, radishes, beetroot—any kind of root-crop—or climbing vegetables would be in line with aboriginal psychology. Tomatoes have been a great success among the aboriginals of Chota Nagpur. The Gonds love fruit-trees, I have known them mourn as for a child when a cherished mango has died. Every school-boy ought to know how to raise an orchard of mangoes, plantains, guavas and papayas

A craft should be the basis of the curriculum, but it must be a craft that the aboriginals will be able to follow with advantage in after years, and it must be related to rural and not urban life. Work in cardboard, the making of fretwork, photoframes and flower-vases, the weaving of decorated chicks are quite useless in distant aboriginal areas

(e) A special series of Readers should be produced for aboriginal schools by Government and should be made compulsory. These Readers should contain songs, riddles and stories in the various aboriginal languages. There should be accounts of the old Gond kingdoms, for example, and the modern Gond Rajas. Descriptions might well be given of tribes in other parts of India, such as the Nagas, the Oraons, the Marias. Tribal games and dances should be described and illustrated. There should be an attempt to make the local aboriginal boy realise that he is part of a great community of twenty million as well as a citizen of India. Some propaganda lessons should be included to prevent the spread of the bad social customs which I have already mentioned. The life of Mahatma Gandhi, emphasizing his crusade against untouchability, inferior status of women, and child-marriage, would be useful

(f) In all schools there should be simple teaching about sex and the danger, prevention and cure of venereal disease. This might well be the task of Inspectors. Many aboriginals do not bathe after sexual intercourse. If this one habit could be introduced, I believe it would make an amazing difference to the health of the tribes

(g) Recreation is of great importance in an aboriginal school. It is essential to teach people who have none of the ordinary means of enjoyment—books, games, wireless, cinema, etc., how to use their leisure. Attempts by certain misguided

aboriginal leaders to stop dancing have led to an increase of immorality among their people who are driven to it by sheer boredom

In the western districts the *saila* dance is an admirable form of exercise for boys it takes many forms sometimes imitating a sambhar hunt sometimes a fisherman tying his net In the eastern districts *danda pata* is more common again good exercise In Bastar there is an amazing variety of dances I have introduced some of them into Mandla where they have been adopted with enthusiasm Schools could do good service by spreading the knowledge of different dances drum rhythms tunes and songs from place to place

There is a rich variety of aboriginal games especially in Bastar and the best of these might well be collected into a small handbook and the knowledge of them spread abroad Some of these like the Baiga root game and the Muria earth game are to do with agriculture others illustrate hunting, honey gathering fishing all are intimately connected with the life of the tribes

In the Bhil Seva Mandal in the Panch Mahals I saw excellent archery classes Every school boy should have his bow and arrow or his pellet bow and not be ashamed to carry it and be an expert in using it This is good exercise training hand and eye and is an important means of restoring tribal self respect Archery has considerable survival value In Chota Nagpur I was greatly struck by the way all boys and men too carried their bows and arrows wherever they went

(h) The Bihar Government has issued a number of books of songs and riddles in Oraon and other languages The songs and music of Mandla Balaghat and Bilaspur are unparalleled—in my experience—for variety and beauty They should be taught as a compulsory subject in all aboriginal schools

(i) Mr Grigson's suggestion of forming school panchayats is one that has been in my mind ever since I visited A S Neill's school in England This is the real solution of school discipline and the cure of servility The teachers should be eligible for election and if they do not do their work properly or bully boys they will not get elected The school panchayat should be given real powers and should be a good training ground for the use of the vote and the conduct of local affairs

448 *Conclusion*—The essence of my suggestion therefore is that schools should be fewer and better that they should be under the direct supervision of a Government expert that only picked men should be sent as teachers into aboriginal areas that special text books should be prepared that a primary emphasis should be laid on craft which must be related to aboriginal life that thought recreation and organisation should be of an aboriginal character

If this is to be done a training school for teachers in aboriginal areas should be opened at once and put in charge of the expert to whom I have just referred Teachers from the ordinary training colleges tend to be urban minded and to have a hearty contempt for the aboriginal

FIG 22

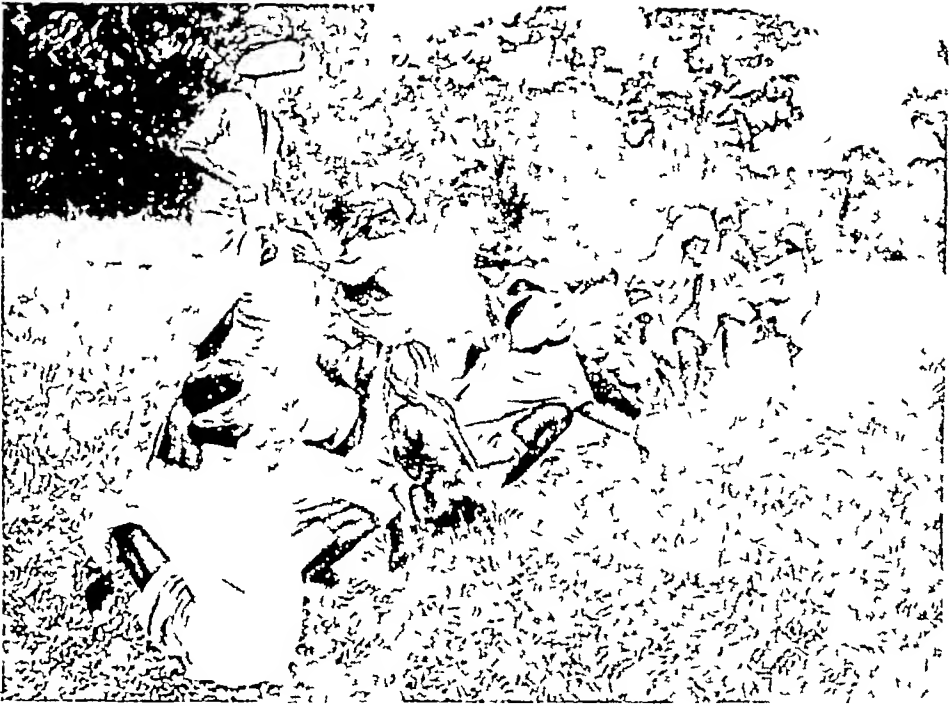


FIG 23



FIGS 22 & 23 Baiga children at play,
Arwar Forest Village, Baihar Tahsil

The matter is very urgent. If schools of the existing type are opened on a large scale and with rules of compulsion, the result will be disaster to the aboriginals, disaster comparable to that which has decimated similar peoples in the Pacific and elsewhere. Only by the application of scientific research, by the utmost caution, by centralised control, can this unhappy result be avoided."

449 I am almost in entire agreement with this note of Mr Elwin and consider that the practical steps to give effect to it might well form part of the terms of reference of the Committee which I have already proposed in this Chapter. I should particularly emphasise the desirability of craft-teaching in aboriginal schools bearing some relation to the conditions in which the pupils will live after their school days have finished. Spinning and weaving are admirable crafts for areas where the raw material is so readily available that it seems natural for the villagers to spin and weave all their lives. I have been greatly impressed during a recent month spent in walking in the Parbat and Beas valleys of the Kulu sub-division of the Kangra district of the Punjab, by seeing how almost every man used a *tuna* or *takli* for spinning the wool of his sheep and goats, and in almost every house a loom where the householder weaves excellent woollen cloth and blankets for his own use or sale in the markets. But where there is no local raw material for spinning and weaving it seems to be waste of time and energy to make children learn these crafts. The crying need of aboriginal areas is proper agricultural teaching, especially the growth of fruit, vegetables and oil seeds in the highly manured *bari* or homestead surrounding the aboriginal houses, and training in the making and repairing of simple tools, baskets, ropes, sleeping-mats and the like. Some replies have stated that the aboriginals themselves when consulted about curriculum have said that they did not want their children taught agriculture because they themselves would be able to teach them all that they would need to know about it. Their agriculture is so primitive and so much in need of improved methods that no attention should be paid to views of that kind. I stress also the value of keeping in aboriginal schools cattle, domestic^{*} animals, poultry and pets. We must get away from the idea that there is any degradation in rearing of poultry and even in the keeping of pigs, the village pig, if treated as he is treated in the slums of the unclean castes in plains villages, is a necessary scavenger, nevertheless a filthy scavenger, the pig as kept in a decent pigsty and stall-fed in the manner prevalent in Hill Maria villages is a totally different proposition. The evil that can be done to the physique of future generations of aboriginals by Hindu schoolmasters and others turning them away from the traditional non-vegetarian elements of their diet cannot be over-stressed. If moreover we are to improve the economic status of the aboriginal, we must encourage him to follow such pursuits as poultry-keeping, growing fruit and vegetables and bee-keeping, again to refer to the Kulu tract, almost

*Apart from the economic and educational value of this, it should be a useful way of teaching hatred of cruelty to animals, including overloading of carts and antiquated methods of castration.

every house in the average Kulu village has three or four bee hives built into its walls. Here again comes in the wisdom of Mr Elwin's view that schools should be fewer and better we cannot expect for many years to be able to provide many schools of this practicable type until there has been a great expansion in the number of teachers available and the aboriginals have learnt to appreciate the new type of schools.

450 I have already mentioned the desirability of introducing, in the areas where Gondi and Korku are still spoken by the majority of aboriginals the use of these languages as the medium of instruction for the earliest classes in the first place and thereafter for poetry and songs ultimately also for reading and composition as more material is collected and teachers begin to acquire familiarity with these languages. So long as Devanagari remains the script in use for Hindi and Marathi in the schools of the province it would be best to use it also for Gondi and Korku though some slight changes in vowel signs etc. may prove necessary for proper representation of Gondi and Korku sounds as has been necessary for the writing of some tribal languages and dialects elsewhere in India. Above all I would emphasise the necessity of aboriginal children singing their own songs dancing their own dances and playing their own tribal games in preference to importations from the village schools of the plains. I draw attention here once again to what I have written on the subject in paragraph 104 of my *Mandla Notes* and paragraphs 57-67 of my *Balaghat Report*. Active steps are necessary to stop the stupid propaganda of the so-called Raj Gond movement in Mandla District against all dancing in general and the *karma* dance in particular. The artificiality of this is shown by the following instance given in the reply of the Mandla Catholic Fathers. At one village in Niwas Tahsil where the Raj Gond movement had taught that all dancing should be regarded as improper the master of the Mission School was ordered to introduce the *saila* dance. One of the priests visited the school shortly afterwards and the boys asked to be allowed to dance this dance. Though the Raj Gond milguzar who was supposed to object to all dancing under the influence of the movement was present he showed obvious enjoyment of the dance and soon started advising the boys how to lift their feet. That was in a village where all dancing had been stopped under the influence of the movement though even there some of the villagers used to slip off to dance in unreformed villages. Father Van Dorst explained later to the school committee why dancing had been introduced and the members all agreed that it had been a good thing though they maintained their objection to the *karma* dance. Elsewhere however even this is kept going it is by far the best of the aboriginal dances in most of the province and has been the inspiration of much of the best aboriginal poetry. Though Father Van Heertum mentions the frequent dancing of *karma* accompanied by obscene songs and night long drinking as a cause of sexual excitement and immorality the Fathers have stated that none of them are opposed to the *karma* song or dance but only to the obscenities which have degraded them in some areas. They themselves favour the collection and publication of the best *karma* songs and the introduction of *karma* songs and dances in schools after this has been

done The degradation mentioned is typical of the gradual deterioration of tribal morals which follows when aboriginals under the influence of outside contacts first begin to be ashamed of their own traditional customs, as mentioned by Mr Elwin in paragraph 446 No one can however get under the skin of aboriginal life and thought unless he can learn to appreciate the delight taken by the aboriginal in his traditional songs dances and games, without which he soon sinks into the drab and dull depression of the menial castes of plains villages You can hear the older aboriginals in areas where culture-contact has been most acute lamenting the abandonment of tribal art and law by the younger generation On the Kauras plateau of Nagpur District in 1933 I found many Gond villages which had let their *meghnath* poles and other signs of their old festivals fall into decay because they feared the ridicule of the Hindu employers and neighbours, when I persuaded a *malguzar* to give them fresh timber to re-erect these, the enthusiasm with which the old festival was again celebrated was a joy to see Father Fuchs has noted of the Bhils in Nimar that they now seem to have no special games, songs, tales, dances or tribal law which play any important role in their life, the elder men often complain of this loss of the original tribal traditions, which could be revived by importing from the aboriginal Bhils of the Holkar State men who have preserved the old Bhil culture and dancing if the modern hinduised Bhil of Nimar did not affect to despise the true Bhil as an illiterate jungly

451 Finally I must emphasise again as strongly as possible that the education of the aboriginal, as also of the *quasi*-aboriginal living amongst the aboriginals under the same conditions of life, is an extremely difficult matter in which any false start may cause untold harm It cannot safely be left to individual District Councils or Local Boards, whose income makes it impossible for them to undertake expensive experiments and investigations or train a special staff There is of course a large school of thought throughout India which considers that primary education of all kinds should cease to be the responsibility of local bodies and should be directly controlled by the Provincial Governments, and I personally incline to that view but it is necessary to emphasise the importance of at least adopting this policy for the education of backward tribal communities They are as yet quite unripe for compulsion and any attempt to compel them to send their children to schools will defeat its own object The school holidays should be regulated by the dates of tribal sowing, harvesting and fruit-gathering operations and by the tribal festival rather than the Hindu festivals, the weekly holidays should not be on Sundays, but on the day of the chief local bazar If it be necessary still to import teachers from the plains, their objections to living in *kala pani* should be met by closing the school during the worst monsoon months and allowing them leave of absence with pay to visit their homes Most of these points will be found emphasised in what I have written elsewhere or in the material which has been left on record in the answers to the questionnaire Of all things that have been said in this Chapter, however, the most important is that aboriginal education must be the direct responsibility of the Provincial Government and no longer left to local bodies

CHAPTER XV — MISCELLANEOUS AND CONCLUSION

Still more unfortunate is it perhaps, that many of the smaller tribes all over India who are most in need of protection and least able to stand on their own feet are owing to their geographic and social environment deprived even of that measure of protection which is afforded by partial exclusion from the reformed constitution. For it is not beyond the power of India's primitive tribes if properly treated to stand on their own feet, control their own affairs, and contribute their own quota of original and individual genius to the national life of India.

—J. H. Hutton, *Primitive Tribes in Modern India and the West* page 444

452 Before I record my general conclusions as to the future of the aboriginals there are certain miscellaneous administrative matters to be mentioned. The first point is that the many recommendations in the previous Chapters presuppose an active policy for the Deputy Commissioners and officers of other departments in the backward areas. Anyone who made enquiries such as this would be forced to the view that Government knows little about its aboriginal subjects has never formulated a consistent policy directed towards their betterment and has done very little with this specific object in view although much of the general steps taken in the past to use the time honoured phrase for the material and moral progress of the peoples of India has not been without its benefit for the primitive substrata even though not conceived in their specific interest or made sufficiently elastic to permit of modification in their interest. In case anyone should consider that my statement is too sweeping I print as Appendix R to this Report a note sent by the Provincial Government in June 1938 to the late Rai Bahadur Sarat Chandra Roy the Editor of *Man in India* indicating the measures taken in the various departments of this Government for the amelioration of the condition of aborigines in the Province. If this is all that Government can claim by way of specific measures undertaken on behalf of the aboriginals the record is not one to be proud of.

453 The lack of touch between the aboriginal and the Government departments has been very marked. I endeavoured to elicit from the Deputy Commissioners suggestions as to methods of improving channels of communication between them and the Government, instancing especially the desirability of strengthening the position of the village headman and the tribal institutions. The general tenor of the replies is that save in a few localities detribalisation has gone too far for a revival of the headman system where it has died out and the village *muqaddam* is only the badly paid hireling of the *zamindar* or the alien *malguzar*. Furthermore it is contended that in these days individualism has progressed so far that the average villager is too intent upon his own rights to be very amenable to the influence of the headmen and the elders. To my mind this overstates the case as anyone would admit who had attended the large gatherings of aboriginals who have come to me during my tours for this enquiry. Where a vigorous headman system survives as in the Chanda and Drug zamindaris and in parts of South Raipur and the Bilaspur zamindaris district officers must endeavour to keep in close contact with the village headman and the *sethia* or corresponding headman of a group of villages. But I agree that

there are wide areas such as most of Mandla District and the open *kholsa* aboriginal tracts of Nimar, Betul, Chhindwara and Balaghat Districts where the only hope of effective contact with aboriginals through their own representatives lies in the gradual building up of panchayats and union boards and local bodies elected by the members of the *panchayats* on the system advocated in Chapter XIII. Meanwhile, as pointed out by several Deputy Commissioners, the essential is adequate touring, well spaced in time and area, in the backward tracts. Spacing in area is particularly important. Several Deputy Commissioners have mentioned the almost ineradicable tendency of the local officers of nation-building departments to stick to metalled roads, I have myself in this enquiry analysed in some districts the tours during the preceding year of agricultural assistants, sub-assistant health officers and even Tahsildars and Naib-Tahsildars, and fully confirm this criticism. The touring must be done by officers who are not transferred before they have time to apply in any measures of administrative reform the lessons that they have learnt from their tours. One officer must be able to control and direct the touring of the officers of all Departments within the district. That officer must be the Deputy Commissioner. Circulars nos. 15 and 16 of Part II of the Book Circulars of the Government of the Central Provinces state clearly the position of the Deputy Commissioner as the representative of Government in his district and the duty of all officers of Government to take part in the political education of the people, emphasising that district officers and their assistants should be in the closest possible touch with the people of their charges and encourage local rallies or meetings of people at halting places in the course of their tours. The Circulars, however, do not sufficiently clarify the position of the Deputy Commissioner as the officer to co-ordinate and control the work of all departments, particularly nation-building departments, in his district. Moreover a natural development of a cabinet system of Government is that officers of each department tend to look to their Minister and departmental heads in Nagpur rather than to the head of the district.

454 Continuity of office is desirable in all districts in all departments of Government, but especially in the posts of Deputy Commissioner, Sub-divisional Officer and Tahsildar in backward areas. I collected figures of the average tenure in recent years of officers in charge of Partially Excluded Areas for the years 1925 to 1940, and the results are reproduced as Appendix S of this Report. In my view the minimum period of which an officer should hold charge of a backward area, if he is to be able to achieve anything for the people committed to his charge, is three years. The figures show that between 1925 and 1940 there is not a single district containing Partially Excluded Areas where the average tenure even of those few Deputy Commissioners who have held charge for more than one year has exceeded two years and eight months. In Chanda, Balaghat and Drug Districts the average tenures of Deputy Commissioners who have held charge for one year or more, including broken periods within five years of each other, have been one year ten months and 21 days, one year nine months and 20 days and one year nine months and ten days, respectively. The average tenure of all, including Deputy

Commissioners who have held charge for less than one year has been appallingly low in all the districts the lowest being five months and 24 days in Betul eight months and 11 days in Chanda eight months and 18 days in Chhindwara and eight months and 21 days in Balaghat. Transfers of Sub-divisional Officers have not been quite so bad except in the important Ellichpur Sub-division usually regarded as a valuable training ground for junior officers of the Indian Civil Service. The average tenure of this post between 1925 and 1940 has been only seven months and 21 days only four officers have held charge for more than a year and their average tenure was one year ten months and six days no fewer than 14 Sub-divisional Officers of Ellichpur held charge for less than a year their average tenure being six months and 14 days. The average tenure also of Tahsildars and Naib Tahsildars has in several districts been very low. The figures in general seem to indicate that the cadres are not sufficiently big to permit of leave vacancies being filled without unnecessary dislocation of postings in other districts as well perhaps, as an insufficiently strict attitude towards leave applications. So far as officers of the Imperial Services are concerned I have seldom seen junior officers reluctant to serve in the backward districts with their many attractions for the sportsman. There are difficulties however in securing contented service from members of the Provincial and the Subordinate Services in the backward areas to which they are liable to be posted. The indications are that Government should be more generous in the provision of bad climate allowances and in allowing officers to recess at more healthy places each year or even conceding to them a vacation under conditions similar to those enjoyed by the officers of the Judicial Department. More money also should be spent on anti-malarial work at district sub-divisional and tahsil headquarters and on provision of amenities e.g. by grants to social clubs at small tahsil headquarters the easiest way of accomplishing the latter object would be to give discretionary grants to Commissioners for this purpose. A corollary of this is the absolute necessity which I have stressed before of abandoning and finally prohibiting the lingering practice of posting Government servants to backward areas as a punishment or for inefficiency.

455 The holding of rallies of aborigines at different centres during the year would be of immense value. In Bastar State an excellent institution was the annual tribal *darbar* at Dasehra when the headman of each *pargana* with some of his village head men and elders attended to present the traditional symbolic offerings of each *pargana* to the Ruler to state their grievances which were answered in the *darbar* by the Ruler or his Diwan, and to hear from the latter a speech on the State's administrative measures and policy. The informal gatherings suggested in Book Circular II 16 and already mentioned even if they have become somewhat out of date for the advanced villages of the plains (as is often alleged not altogether truly) are admirable for the backward areas. Touring in the Chanda zamindaris in December 1910 I was able to have gatherings of this kind at each camp which were everywhere greatly welcomed and appreciated by the headmen and elders and were of great value to my enquiries. In aboriginal tracts an element of formality is perhaps desirable

in the sense that regular invitations should go out, not in the sense that any pomp or ceremony should be observed on the contrary, they should be accompanied by a public feast and if possible by games, on the lines of the Maria-Muria sports in Bastar State or of the Korku sports that used to be held annually by the Divisional Forest Officer at Chikalda. The aboriginal is by nature a cheerful individual and arrangements for his meetings with the representatives of Government should recognise this characteristic.

456 If closer touch is to be maintained with the aboriginal, there must be definite encouragement to officers to learn the two main aboriginal languages, Gondī and Korku. Those who at present can talk Gondī could be counted on the fingers of two hands, those who can talk Korku are even fewer. In both cases I exclude the lowest ranks of the police, forest guards and tahsil peons, among whom are many whose mother-tongue is Gondī or Korku or who have found that they must pick up at least a smattering of one of the two in order to discharge their duties. The wise words of Mr C G Chenevix Trench, C I E, in the introduction to Volume I of his *Grammar of Gondī* remain as true now as when written 23 years ago —

“It is true that every Gond, as far as I am aware, can speak Hindi, or Marathi, and many of them both. But allow him to transact business of whatever kind, from a tiger-beat to a revenue case, in his own tongue, and he will at once show, not at a disadvantage as struggling to express himself in what he calls, pathetic and pregnant term, ‘Mahajani Parsi’, but at his best. He becomes confidential, communicative, more truthful and more open to reason. To work or play, for him or with him, is a pleasure. Even his frequent lapses rather amuse than irritate.”

Hindus resident in Betul district have grasped this principle most thoroughly. Thousands of them, from wealthy moneylenders to humble Kotwars, are fluent speakers of Gondī. As a Teli owner of a large estate put it, ‘It pays me to know their language’. District officers, for higher reasons than the Teli’s, will find that it will pay them too.”

I advocate strongly encouragement to officers of the services to learn Gondī and Korku by a reward for passing a proficiency test. Human nature is human nature, and once a man is relieved of the burden of those examinations which it is compulsory for him to pass he is naturally averse from undergoing the mental effort involved in acquiring a new language in early middle age, still more so from facing an examination in it, without the incentive of a reward such as has long been available for those who pass graded tests in the advanced stages of the literary languages of India. At the outset it will be difficult to arrange tests in Gondī and Korku, but if, as recommended in the preceding chapter, these languages are recognised and used for teaching by the Education Department, there will soon be a large number of persons qualified at least under the supervision of higher officers and with the help of an intelligent aboriginal or two, to examine candidates in Gondī or Korku conversation.

457 The question of contacts and touring naturally brings up that of improved communications. But it must at once be observed that metalled roads are not a necessity for the village-to-village off the-beaten track touring of district officers which is so essential if true contact is to be maintained between the Government officer and the aboriginal. There are however several tracts in the backward areas where cart traffic has hardly developed or where tahsils and station houses are cut off all through the monsoon months from district headquarters or which are in these days of high pressure headquarters work inaccessible to the departmental head or Commissioner unless he can reach them by car. The more that can be spent on improving village roads and encouraging the use of carts the better. As to metalled roads bringing in their train the motor bus and the exploiter a balance has to be struck between reasonable protection (through continued isolation) of backward peoples not yet able to hold their own against civilisation administrative necessities (which include accessibility in order to protect the aboriginal from the exploiter who has already arrived and from the malguzar and petty official) and economic advancement which requires that the aboriginal shall be able to have easier access to markets for his field and forest produce. On this point I would quote from a recent letter written to me by a distinguished ethnologist Baron C von Föhrer Haimendorf on certain proposed roads in the aboriginal tracts of the huge and undeveloped interior of the Adilabad district of Hyderabad State —

As far as roads are concerned my views differ slightly from those of most administrators. For it seems to me that roads are a danger if built before the aboriginals position is stabilized and a certain degree of equilibrium both social and economic has been achieved. A map of this district which I am preparing with the various tribes marked in different colours will show at a glance that where roads run the aboriginals have largely been displaced by other castes and their land has fallen to outsiders. Even the projected Asifabad Kerimeri road has resulted in the acquisition of practically all the villages between Asifabad and Kerimeri by non aboriginal *pattadars* and the same thing has happened along the Guri hatnur Utnur road. However the completion of the latter road would certainly be a good thing the alienation of land along it and around Utnur is already a *fait accompli* and the touring officers would profit from the improved communications but to link Asifabad with Utnur would mean to throw open the last tract still in the hands of aboriginals to the land seeking Banias and Muslims of the plains who find ways and means of by-passing all land alienation laws and regulations. The opening up of this aboriginal tract would render hitherto undesirable country desirable for plains settlers and would result in the same unhappy conditions which prevail between the new Curihatnur Utnur and the Nirmal Adilabad roads where the Gonds are struggling against overwhelming odds for their very existence. That even without good communications the aboriginals do themselves come even over great distances to any place where they hope for a sympathetic hearing is shown by the streams of

people who come to us near Utnur from distant corners of other taluqs and the hundreds of Gonds who come recently at short notice to see the Collector and before him the Director-General of Revenue in Utnur. The exploitation of aboriginals is indeed worst not in the least accessible parts, but in the immediate neighbourhood of such administrative centres as Utnur. Personally I would welcome much more enthusiastically the establishment of twenty schools in the tract between Asifabad and the Adilabad-Nirmal road than the completion of the road link. For apart from the settling of the land and forest questions education seems the most pressing need, if the Gonds are to be fortified against the impact of the more progressive population, and they themselves realize this so well that some of the wealthier Gond patels are keeping private tutors for their sons."

458 It may certainly be conceded that it would be premature to open up to the outside world by all-weather roads the most backward tracts of the province in their present stage of educational and economic development. At the same time our aboriginals as a whole have been more exposed than those among whom Dr. Haimendorf has been and is working to contacts with the modern Indian world, and the time has come perhaps in their own interests to make the outer world more accessible to them and their villages more accessible to the protecting officials. The very backward areas not yet ready to be exposed to all that the all-weather road and the motor-bus bring in their train, these include the interior of Ahir Zamindari and many other Chanda Zamindaris, the Bharia-Bhumia country in the Chhindwara jagirs, the northern Satgarh Zamindaris of Bilaspur, parts of Bindra-Nawagarh Zamindari in South Raipur, and the Baiga areas on both sides of the Mandla-Bilaspur border. But elsewhere better communications are essential, and if the reforms advocated in this report are pushed through, there will be no undue danger of accelerating exploitation, since new road construction must inevitably wait till after the war, save where it is needed for defence or supply purposes. The road works that are first needed seem to me to be—

Mandla District—

- (a) Full bridging of roads from Mandla to Niwas and Dindori and from Niwas to Shahpura, so as to make each tahsil headquarters accessible by direct road at all seasons,
- (b) completion of the raising in class of the Seoni-Mandla road,
- (c) raising to class I the Mandla-Bilaspur road, with a link from Motinala to Garhi in the Baihar tahsil of Balaghat,

Chhindwara District—

- (d) raising to class II and fully bridging the new Tamia Chhind-Batkakhapa-Harra road,
- (e) a road from Tamia to Jama,

Betul District—

- (f) completion as a class I road of the Betul Chicholi Harda road
- (g) linking by a maintained forest road of Bhainsdehi with the new Ghatang Kukru forest road

Chanda District—

- (h) raising the Chanda Sironcha road to class I fully bridged so as to give all weather road access to Allapilli Ahiri and Sironcha
- (i) bridging of Wanganga between Mul and Garchiroli and of the Mul river so as to make Garchiroli accessible in all seasons
- (j) bridging the Garchiroli Warsa road
- (k) fully bridging the Garchiroli Muramgaon Manpur Kusumkasa road so as to have a main route through the Chanda and Southern Drug Partially Excluded Areas

Drug District—

- (l) extending the Gandai Nawegaon road to Saletkri in Baihar Tahsil

Raipur District—

- (m) permanent crossing over the Mahanadi on the Great Eastern road

Bilaspur District—

- (n) full bridging and raising in class of the Bilaspur Katghora road
- (o) raising in class of the Bilaspur Mandla road

Balaghat District—

- (p) a road from Saletkri to Baihar
- (q) a road between Baihar and Mandla via Chiraidongri and

Amraoti District—

- (r) a forest road to Katkumbh from the Ghatang Kukru road

459 I have omitted expressly from the list various small local forest or Public Works Department roads including some indicated in my previous reports so as to concentrate on what are essential from the viewpoint of effective administration of the aboriginal areas. The roads and bridges advocated would also all have a high economic value adding to forest income carting wages and agricultural prices. Some of them such as the Garchiroli Kusumkasa and Tamia Harrai roads and the links between Baihar and Mandla Districts would facilitate changes in administrative boundaries suggested here or in other reports. This is a programme to be definitely adopted but spread over a period of it may be 20 years. Taken thus gradually the programme should neither strain provincial

finances nor expose the aboriginals too suddenly to new contacts before the adoption of the educational and other measures advocated in this report

460 Two further factors arise in considering how to secure closer contact between the official and the aboriginal. The first is the continued dearth of aboriginals in Government service. There is, I believe, one Gond only in the provincial services, an Extra-Assistant Commissioner, while a Gond Tahsildar and two or three Gond Rangers or Deputy Rangers are probably the only aboriginals in the subordinate services. Perhaps the only aboriginal Revenue Inspector is the able and influential Korku Revenue Inspector of Chikalda*. The number of aboriginal forest guards, patwaris, constables and excise peons is still a desperately small proportion of the total. In all revenue offices and even in the Secretariat the number of Gond peons is reasonably good, they are often amongst the best peons in the office because of their steadiness, faithfulness and willingness. In every district where I have served and in the Secretariat I have always managed to have as one of my personal peons a Gond-speaking Gond and have always found them faithful, intelligent and hardworking and an asset when on tour. There should be more aboriginal peons in the Agriculture Department. The need of aboriginal excise peons for house-searches has been emphasized in paragraph 373 above, but they are necessary on other grounds also in a department whose operations so closely affect the aboriginals. Aboriginal houses are seldom searched in the investigation of other than excise crime, but the same consideration does to some extent apply both to forest and police offences, while those two departments also so often come into contact with the aboriginal that it is obvious that we must work for more recruitment of aboriginal forest guards and constables. In fact, Government should do all possible to encourage recruitment of aboriginals in all ranks in all departments because of the necessity of making the general body of subordinate Government service less alien to the aboriginal, and in the wider interest of making the whole edifice of Government less alien to him. The task is of course an uphill task. As a stepping stone Government has extended to the aboriginal the concession previously granted to the scheduled castes of raising the age-limit for entry into Government service to 30 years, but naturally cannot relax the educational standards needed for gazetted and upper subordinate ranks. Much can be done by Deputy Commissioners and the district representatives of other departments keeping touch through the District Inspector of Schools with each year's school output of aboriginal boys and giving them preference where they are suitable for any particular vacancy. More rapid progress will be possible in future only if the educational policy advocated in this report is implemented, but this will take a long time. Complaints are of course made, as for example in Mandla District, on the lines of "save us from all patwaris and foresters but above all from Gond patwaris or foresters," and used as an argument against recruitment of aboriginals at present. Such complaints are easily made, but

*The last two sentences are subject to correction, as I write in H.derabad without ready means of verifying what I have written

are no criterion for the future, as the Gond previously chosen for such Government service have generally been completely detribalised by their education and contacts once our new form of education of tribal lines gets going this will soon change. The complaints moreover are far too sweeping if a Gond forest guard is feared it is generally because he knows too much of the Gond villagers ways of pilfering the forests. There is yet another aspect of the case and that is the potential economic value to an aboriginal area of an ever increasing number of aboriginals drawing regular Government pay in pensionable service at rates which though small on paper to the penurious Gond seem extreme riches. Lastly it is in the recruitment of suitable local aboriginals that lies probably the only ultimate remedy for one of the main obstacles in the path of nation building for backward areas namely the dislike of the bad climate the alien language and the uncongenial society so keenly felt by the plainsman posted to a backwoods station.

461 The second factor is the size of the administrative areas. The area of tahsils in the province as a whole varies greatly but in the backward areas they are large and generally badly served by communications. The average size of the tahsils where aboriginals constitute 25 per cent or more of the population or number more than 50 000 is 1 845 square miles. These include one tahsil with an area of 5 194 square miles one with 3 089 square miles and four with more than 2 000 square miles. These great areas are partly responsible for that major feature of our Partially Excluded Areas lack of administration or at least of close supervision. The distances are so great that the available touring staff does not cover them and there is a general complaint amongst the aboriginals of the difficulties involved in attendance at tahsil headquarters for payment of land revenue or criminal and civil cases. In contrast the aboriginal problem in Bombay, for example is in this respect simple. Bombay has nearly half as many aboriginals as the Central Provinces and Berar. The West Khandesh district with a total area of 5 439 square miles has seven taluqs and two *pethas* an average of about 600 square miles per administrative unit. Thana District is even better in a total area of 3 376 square miles it has six taluqs and three *pethas* an average of 400 square miles a unit. The *petha* (sometimes called *mahal*) in practice amounts to a half sized taluq and is for all practical purposes a separate unit with its own separate headquarters. It is in charge of a *mahalkari* who has practically the same powers as a *mamlatdar* the Bombay official who corresponds to our tahsil dar. The population of an average taluq is nearly 100 000 and that of an average *petha* about 50 000.

462 On this basis a strong case could be made out for considerable breaking up of large unwieldy tahsils into smaller tahsils or for posting Naib Tahsildars at least for the open season to sub-tahsils suitably distributed over the tahsil. Against the breaking up of districts and tahsils there are however strong arguments an administrative unit which has lasted for 80 years or more attaches to itself sentimental political economic and administrative ties and its disruption must cause dislocation and loss. Such breaking up involves also heavy outlay on new buildings and new staff and such expenditure is beyond the financial

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means of the province I therefore restrict the actual administrative changes proposed to a minimum. The first three are designed to improve and make more compact the administration of adjacent groups of Partially Excluded Areas.

463 The Chanda District as at present constituted has a population of 759,695 and covers an area of 9,312 square miles of which no fewer than 4,013 square miles are Partially Excluded Areas with a population of 115,031. So much of the Deputy Commissioner's work comes from the non-aboriginal portions of the district that it is many years since he has been able probably to carry out the duty of periodic inspection of each of the zamindaris (all of which are Partially Excluded) imposed upon him by General Book Circular II-20. On the contrary the adjacent Wardha District covers only 2,434 square miles with a population of 516,266, and but for the fact that it has in recent years been almost the centre of Indian politics the Deputy Commissioner's work has been light, when I visited the district in August 1940 as Additional Commissioner and in connection with this enquiry I came to the definite conclusion that the staff as a whole had only a medium day's work. The advanced Warora Tahsil of Chanda (area 1,282 square miles and population 174,086), which has satisfactory road and rail communications, and trade, political and other affinities with Wardha, should therefore I suggest be transferred to Wardha, increasing its area to 3,176 square miles and its population to 690,352. As compensation the four Partially Excluded zamindaris of Drug which were taken away from Chanda when the Drug District was constituted, should be re-transferred to Chanda. Their area is 880 square miles and population 82,202. The conditions under which these four zamindaris are held are the same as those of the Chanda zamindaris and different from those of the Drug zamindaris. The zamindars are closely related to the Chanda zamindars and their estates are far more akin in population and problems to Chanda than to Drug. At a conference of the zamindars at Muramgaon on January 1st 1941, the suggestion was welcomed. At the present moment Government is not really paying fully for the administration of the four zamindaris but getting the tahsil and magisterial work done at the expense of the Panabaras-Aundhi estates by utilising the services of the Manager of the estates (both of which are the property of one Zamindar who is a ward of the Court of Wards) as Honorary Tahsildar and Magistrate. It is a fact that the Tahsildar of Balod has ample work to do without the burden of these Partially Excluded estates. This transfer would involve the shifting of tahsil headquarters from Garchiroli to Muramgaon. The *khalsa* of Garchiroli Tahsil could either revert to Brahmapuri Tahsil or remain under a Naib-Tahsildar and an abbreviated staff on lines akin to a Bombay *petha*. By this change these administratively neglected zamindaris would then have a central administrative headquarters. The transfer of Warora Tahsil to Wardha would give the Deputy Commissioner of Chanda far more time to tour in all the zamindaris for although the area of his district would change only from 9,312 to 8,910 square miles and the population fall only from 759,695 to 667,811, he would lose the most litigious part of his district. Drug District would be left with an area of 3,836 square miles, and a population of 735,722.

464 The second change is the transfer of Baihar Tahsil to Mandla District. I have already alluded to this possibility in paragraphs 160—163 of my *Balaghat Report*. When Baihar is a Partially Excluded Area and immediately adjoins the completely Partially Excluded District of Mandla there are distinct advantages in having them included in one district. The Balaghat District was after all constituted by taking in parts of Seoni Mandla and Bhandara and the chief reason for making it a district was the colonization of Baihar that work has been accomplished. It is a small and lightly worked district and almost the sole justification for retaining it as a district is the manganese mines the lessees of which could however deal without much difficulty with a Deputy Commissioner at Seoni Mandla or Bhandara. The united Mandla Baihar district would have an area of 6,613 square miles and a population of 544,858. The Seoni District should be reconstituted and should have added to it Waraseoni and Balaghat Tahsils it would thus have an area of 5,217 square miles and a population of 856,242. This would have the further advantage of splitting up the now unwieldy Chhindwara district and of making possible more intensive administration of Chhindwara and Seoni with their 37.2 aboriginal percentage. There could be a resident Sub divisional Officer at Balaghat. It would be necessary to give Baihar direct road communication with Mandla. This can be easily done both *via* Garhi to Motinala and *via* Mukr and Kasmiri to Chiraidongri on the Public Works Department road and Bengal Nagpur Railway narrow gauge line from Seoni to Mandla*. Seoni of course has all the essential district buildings and the sole expenditure apart from the actual cost of moving records and staff would be spent on the improvement of road communications between Mandla and Baihar which is necessary whether the administrative changes recommended are effected or not.

465 The third administrative change suggested is that all the Partially Excluded zamindaris of Bilaspur should be included in Katghora Tahsil. This would it is true increase the tahsil area from 2,553 to 3,623 square miles and population from 214,718 to 334,489 but this would still leave the headquarters tahsil of Bilaspur with 1,135 square miles and a population of 325,267 an extra Naib Tahsildar would be needed for Katghora and could probably be spared from Bilaspur Tahsil. The administrative advantages of this change are obvious and it would fit in with the scheme of an Independent Local Board for the Partially Excluded zamindaris the fact that there already is a Local Board for these zamindaris is a partial admission of the case for this change. It would make desirable direct road communication from Pendra Road to Katghora. No other expense is involved.

466 For the remaining districts and generally as a means of meeting the difficulties arising through the size of administrative areas certain steps should be taken. First of all modern policy towards the aboriginal zamindars should be reversed instead of working towards the abolition of the zamindari system it should be frankly realised that over the vast areas of Chhattisgarh

*See paragraph 41 of my *Balaghat Report* and paragraph 435 above.

Chanda and Chhindwara, the aboriginal zamindars available could be made to do a great deal of the work of Government, though I hold no brief for non-aboriginal zamindars and am inclined to agree with everything that is said about them in Mr Kamath's report on *Grazing and Nistar in the Central Provinces*. So far, however, as the aboriginal is concerned things are different. Most aboriginal zamindaris are survivals of very ancient chiefships descending from the old semi-tribal semi-feudal systems under which the whole province was organized centuries ago. Properly speaking, these zamindaris in relation to their ryots and fellow-tribesmen are *primi inter pares*. If some of the bigger aboriginal zamindars in Chhattisgarh have tended to ape Ruling Chiefs educated at the Raipur Rajkumar College and ruling over far wealthier States, yet some of the aboriginal Ruling Chiefs thus educated set an example to the zamindars by their close and familiar contact with their subjects and the time and energy devoted by them to the administration of their estates. At the other extreme could be found estates like Rang Zamindari in Chanda where the people and the zamindar alike are Maria, or the Bariam-Pagara jagir of Hoshangabad, where the Korku who form the majority of the ryots take a pride in relationship to their Korku jagirdar. In paragraphs 143—147 of this report the legal value of the aboriginal zamindar as a safeguard against alienation of the land of the aboriginal tenant to a non-aboriginal has been explained. In paragraphs 405-406 I have stated the case for the retention of the aboriginal zamindar. The Government goal should be once again to use the aboriginal zamindar, under stricter supervision than of old, as honorary magistrate, honorary tahsildar and even honorary civil judge, subject to his educational, moral and financial fitness, and should expect and encourage him to provide nation-building services, e.g., human and veterinary dispensaries and the like. This would involve reconsideration of the unfortunate Central Provinces Revision of Land Revenue of Estates Act of 1939, a Congress party measure which enhanced the *takoli* paid by every estate in the province without any recalculation of the assets of the estate. Government should, if necessary, legislate to impose duties on zamindars (provided that they retain the privilege of *takoli* considerably less than 50 per cent of their assets), to control their education and training and to depose them or make another member of their family manager of the estate on their behalf if they are inefficient or spendthrift or tyrannical. Just as in the case of forests the grouping of zamindaris for forest services was suggested, so also they could perhaps combine for other nation-building purposes. There should be in future far stricter enforcement of the General Book Circular II-20 prescribing periodic inspection by the district staff of the zamindaris, and in the notes to be recorded after inspection more attention should be paid than in the past to the zamindar's knowledge of the different parts of his estate, his relations with the ryots and his knowledge of them their grievances and needs, his interest in nation-building activities, the effect on his estate of the incidence of

*See *The Territorial System of the Rajput Kingdoms of Medieval Chhattisgarh* by C. U. Wills, I.C.S., in *Journal of the Asiatic Society of Bengal*, new series Vol. XV, 1919, pages 197—262, and my *The Maria Gonds of Bastar*, page 4

takols, the extent to which the Land Alienation Act is being observed the work done by Government or the District Council in the zamindari the condition and indebtedness of the ryots and the improvements carried out, needed and planned. There should be an annual report on similar lines for Partially Excluded *khalsa* areas.

467 Besides utilising the zamindars we should widen the scope of police action in the backward areas by making cognizable certain offences which are particular grievances of the aborigines namely *begar* in all forms illegal exaction of supplies and *manul* extortion in the recovery of debt moneylending without a licence and the use of false weights and measures. Above all we must press on with the diffusion of general education under the scheme advocated in Chapter XIV and through political education towards the Union Boards and *Nyaya* Pan-chayats advocated in Chapter XIII. When these institutions can be trusted to do reliable work without spoonfeeding the principal difficulties arising from the size of districts and tahsils will be solved.

468 Public opinion thanks very largely to the bitterly criticised provisions regarding Exclusion and Partial Exclusion in the Government of India Act 1935 is now awake, as never before to the existence of the aboriginal problem. There are many recommendations made in this report the implementing of which will depend upon sustained guidance not only from senior officials, but above all from public opinion. It is for such reasons I take it that steps have been taken in some provinces to form Advisory Boards for aboriginal problems. Thus the Partially Excluded Areas Enquiry Committee of Orissa 1940 in paragraphs 488 489 491 and 498 of its Report recommended that there should be an Officer selected from the Indian or Provincial Civil Service assisted by an Advisory Board to be in charge of the welfare department of the backward classes of the province for the all round advancement of these tribes with three selected assistants for three specific areas selected from the ranks of the Sub Deputy Collectors. The Report added that there should be an Advisory Board consisting of the Minister in charge or the Adviser to the Governor as the Chairman a Backward Class Officer as the Secretary five members of the Provincial Legislature chosen from among the Members of the Legislative Assembly of the three areas * three members nominated from among the backward tribes and two experts. It further suggested that if a special welfare department for the backward classes were to be created by the Government not less than a lakh of rupees should be earmarked annually to be spent on the schemes prepared by this department and approved by Government. The Committee went on to ask the Provincial Government to urge that the Central Government should make an initial grant of Rs 50 lakhs to be spread equally over a period of 10 years for the immediate development of the backward areas and the welfare of the aboriginal tribes.

469 The Bombay Government has already a Backward Class Officer with a staff of Assistant Backward Class Officers, for the reorganization of which proposals were made in paragraphs 213-214 of the Symington Report. In paragraph 211 of that Report Mr Symington observed also that the work of the existing rural uplift committees and taluka development associations was unco-ordinated, unequal and spasmodic, and only occasionally good, and that the great defect in the past social activities had been the want of co-ordination of the different bodies, both semi-official and non-official, and consequent dissipation of effort. He considered that the remedy lay in unification of control and the pooling of those Government resources which at present were devoted to social services, and visualized therefore the local co-ordination of all social service activities by means of a common council of Indian and European missions, rural uplift committees, development associations, etc., to meet and decide how to pool their efforts in the common cause. In paragraph 212 of his Report he referred to a previous recommendation in paragraphs 188 and 198 of the Report that there should be constituted separate local fund advisory committees for the Partially Excluded Areas in each of the districts concerned, including social workers, and he considered that these committees should be entrusted with the organization of rural propaganda and the co-ordination of social services in addition to their other duties, there would thus be a single powerful body in each area charged with the whole of the social and educational side of Government's campaign to improve the conditions of the aboriginal tribes. He recommended that the balance of the funds of the present rural uplift committees, development associations and the like, and all future Government grants should if possible be vested in these committees and administered by them. The Bombay Government has, however, not accepted the proposed local fund advisory committees because it has since the publication of the Symington Report established a Co-operative and Rural Development Department which has to co-ordinate all forms of rural development work and propaganda. This decision is open to the serious objection that it fails to recognise the essential distinction between the aboriginal problem and the general village uplift problem.

470 The Bengal Report on the State of Affairs Prevailing in the Aborigines Area in Parganas Shusung and Sherpur, District Mymensingh*, recommends 11 Aborigines Protection and Welfare Boards to be set up for groups of Union Board Areas. The Governor of Bengal in the discharge of his special responsibility under section 52 (1) (b) and (e) of the Government of India Act, 1935, read with article XV of the Governor's Instrument of Instructions, has appointed a Member of the Board of Revenue to give special attention to the welfare of the aboriginal tribes of the Province and in any case involving the interest of the aboriginal tribes the Secretariat Department concerned consults this Member.

471 In Madras there is no Provincial Board but a most valuable institution is an annual Report on the Material Condition and Progress of Aboriginal Tribes and Very Backward Communities, consisting of brief annual reports from the Collectors

of each of the districts concerned with a review by the Board of Revenue and a Government Resolution. There appears also to be a special branch of the Labour Department for dealing with some of the problems of backward tribes. Perhaps the Government does not adequately differentiate between the problems of the aboriginals and the scheduled castes.

472 The Government of Travancore has taken special steps to place the primitive tribes there under the benevolent tutelage of the Forest Department and to appoint a Protector for Backward Classes.

473 The Government of Bihar in response to political pressure from the tribal members of the legislature appointed a special officer to be in charge of measures to secure the uplift of aboriginals and backward classes in Chhota Nagpur and the Santal Parganas with headquarters at Ranchi but such information as I have been able to glean about the activities of this officer indicate that they have not so far been very striking or even noticeable. An Advisory Board was also appointed in 1939 on lines similar to those recommended by the Orissa Committee and meets once a quarter. It now seems to be doing useful work, in its June 1942 meeting for example it resolved to spend Rs. 30,000 out of the balance of revision settlement charges on constructing hostels for aboriginal students at various centres in Ranchi District and approved a scheme for reorganisation of grain golas. No annual report is published.

474 Some years ago the Central Provinces Government considered the appointment of an officer to be designated Protector of Aborigines and contemplated combining this post with that of Excise Commissioner, a separate post borne on the provincial Indian Civil Service cadre but at present in abeyance or rather held in conjunction with other duties by the Settlement Commissioner. Moreover Article XV of the Governor's Instrument of Instructions expressly says that in the exercise of the powers by law conferred upon him in relation to the partially excluded areas or to the discharge of his Special responsibility for the safeguarding of the legitimate interests of minorities, Our Governor shall if he thinks this course would enable him better to discharge his duties to the inhabitants of those areas or to primitive sections of the population elsewhere, appoint an officer with the duty of bringing their needs to his notice and advising him regarding measures for their welfare. This Report establishes an unanswerable case for the appointment of such an officer or Protector of Aborigines and if he is to effect a real sustained improvement of aboriginal conditions he must be helped by a special department. The running of this department could in the Central Provinces and Berar be entrusted either to the Labour Commissioner or to the Excise Commissioner in addition to his other duties but on the whole the Excise Commissioner would be preferable since there is no real connection between the work of a Labour Department and of an Aboriginal Department. In fact the Labour Commissioner's duties primarily concern labour organizations and the Scheduled

Castes, the problems of the aboriginals are entirely distinct. The Protector of Aboriginals should be a senior officer of the Indian Civil Service able to pull his own weight with the Heads of Departments, Commissioners, Deputy Commissioners and Secretaries to Government. No organization of Aboriginal Advisory Boards and Committees would be of use without this Protector of Aboriginals to function as its secretary and convener. The combination of this post with that of the Excise Commissioner would not involve the creation of any fresh post.

475 The Board then should consist of the Prime Minister or, whilst the section 93 regime lasts, the Adviser in charge of village uplift work, as Chairman, with the Minister in charge of village uplift as a member, the Protector of Aboriginals as member and secretary, and, as members, all aboriginal members of the legislature, three other members of the legislature nominated by the Government because of their interest in aboriginal matters, the Deputy Commissioners of Mandla and Chanda, the heads of nation-building departments, the Chief Conservator of Forests or one of the Conservators, and six or seven non officials nominated from different parts of the province, including especially a representative each of the Bhumijan Seva Mandal and the Servants of India Society, religious, medical or social missionaries of any community who have been active workers amongst aboriginals, and two ethnologists if available. There should be an Aboriginal Welfare Trust Fund to be administered by this body, with an annual grant of at least Rs 3 lakhs from the Provincial Government, for which also donations, subscriptions and legacies might be asked for from the philanthropic public. The Board should also be consulted on all schemes for the betterment of the aboriginals and control the administration by the Protector of Aboriginals of any grants made for such purposes by the Central or Provincial Governments. There should be a quarterly meeting, an annual budget and, especially, an annual progress report. The Board would also act as the co-ordinating authority for the district committees proposed elsewhere in this report for dealing with excise and educational matters in aboriginal areas. Its work would need to be supplemented by special Aboriginal Betterment Committees for each of the districts with Partially Excluded Areas and also for Raipur, Yeotmal, Nimar, Hoshangabad and, if reconstituted as a district, Seoni. It has been suggested that the existing District Rural Development Committees would be enough for this work without the creation of any special bodies. I cannot agree. The lines on which the proposed District Aboriginal Betterment Committees would work have been indicated in paragraph 129 of my *Balaghat Report* —

“For the backward areas there should be a district development committee working under the Deputy Commissioner consisting of the senior local representatives of the forest, public works, agricultural, educational, veterinary, co-operative, judicial (debt relief), medical, public health, excise and police departments, and also of the Sub-divisional Officers and Tahsildar, the Members of the Legislative Assembly, the Chairmen of the District Council and the Local Boards and perhaps a few nominated educated non-officials who live and work in the areas. This Committee

should meet quarterly and seek to co-ordinate all uplift work under it with the Agricultural Association and Tahsil Uplift Committees Seed Unions etc. Where such a Committee's area covers more than one tahsil, it might have similar tahsil sub-committees under the Tahsildar Committees and sub-committees should try to co-opt educated aboriginal members wherever available and at least to have some organization of local aboriginal correspondents (whether literate or not) through whom to maintain close touch with the people for whom their activities are primarily meant.

The failure of the present tahsil village uplift committees in backward areas is due to there being insufficient co-ordination of the work of all Government departments and local bodies in the areas and too much lip service to the ideal of de-officialising the committees in areas where for years to come this must remain a far distant goal.

The important thing about the aboriginal problem is that it can not merely be treated along with other rural welfare problems, but is a thing *suu generis* which without a special organization of its own will once more be relegated to the pending shelf or to the record room where it has lain for so many years past. These district committees will have themselves to submit annual proposals to the Provincial Board and to produce annual reports which will be the basis of the provincial report to be compiled by the Protector of Aborigines and reviewed every year by the Provincial Board and the Provincial Government.

476 Partial Exclusion has long been a target for the criticism of the politician. Any one curious to read all the arguments that can be advanced against it and some of these in its favour should refer to the Recommendations* of the Provincial Government and the Government of India for Excluded and Partially Excluded Areas under section 91 of the Government of India Act 1935 presented to Parliament in January 1936 by the Secretary of State by command of His Majesty to the parliamentary proceedings and to the long debate in the Indian Legislative Assembly on the subject in February 1936. With no desire to re-awaken an old controversy I would however make a few observations on the subject. The Partially Excluded Areas of the Central Provinces and Berar contained in 1941 only 833 143 out of a total tribal population of 2 990 701. With certain obvious omissions these areas however contain the most primitive and backward sections of the aboriginals of the province. There is no special protection in any Act or law for the great majority of the aboriginals living outside these areas apart from their own so far undeveloped power of intelligent use of the vote and the Governor's special responsibility under section 52 (1) (b) of the Government of India Act for the safeguarding of the legitimate interests of minorities. It was not the purpose of Partial Exclusion to label or stigmatize for all time any areas of any province as backward these provisions of the Government of India Act merely drew attention to an existing state of affairs. In the province almost every era of civilisation from the Stone Age to the twentieth century can be seen in the life of different communities in different

*Indian Reprint Government of India Press, New Delhi 1936

districts. Can it be asserted that a Kamar or a Bharia-Bhumia or a Maria can by a stroke of the pen be transformed into an intelligent citizen and voter in a modern commonwealth? Partial Exclusion came therefore only to protect the interests of tribes not yet fit to hold their own under the stress of modern civilisation until they have been fitted to hold their own. All that has been said before in this Report makes it quite clear that even the more intelligent of the Gond and Korku need protection, which they have not had in the past. The aborigines as a whole have lost, or are losing, their language, their culture, their dancing, their tribal solidarity, their lands and their laughter, and are sinking to the status of a depressed class of landless labourers. The record of the pre-provincial-autonomy regime in this respect was not too good, though a great deal was done between the formation of the province in November 1861 and 1936, mainly by paternal administration, to protect individuals from oppression, restore law and order, secure title in land and save the aboriginal from the tyranny of the liquor-seller, it is, however, difficult to think of any legislation conceived in the aborigines' interest before or after 1919 except the rather feeble Land Alienation Act of 1916, the provisions of the Central Provinces Land Revenue Act of 1917 for protecting village headmen and lessees, section 66 of the Berar Land Revenue Code, and a few sections of the Tenancy Acts. The difficulty has always been present of so drafting all the legislative measures that have been necessary for the advanced parts of the province as to make special provision or exception for the special conditions of the aborigines, especially when different treatment is necessary in reality for different sections of the aborigines themselves. Therefore none of our local government laws make adequate provision for the aboriginal areas, our excise and prohibition laws have been devised with an eye on social reform movements in the advanced plains, and there has been a wholesale neglect of specialised nation-building activities in all the backward areas.

477 It was suggested that by Excluding and Partially Excluding certain areas the British Government was taking away with one hand the provincial autonomy that it was giving with the other. It was overlooked that the whole scheme of Partial Exclusion, with which alone we are concerned in the Central Provinces, from the outset involved the administration of the Partially Excluded Areas by the Ministers and was designed to help them to protect the aborigines. Partial Exclusion really for the first time threw the aboriginal problem into the limelight and made it through the Ministers the concern of the whole legislature and of the provincial public. It thus associated enlightened public opinion with the solution of the problem, for in the long run the only true safeguard of the aboriginal is an enlightened public opinion alive to, and ready to tackle the problem, and the position was that the aboriginal, by the constitutional changes, was brought face to face with an overwhelmingly Hindu and Muslim electorate actuated mainly by the self-interest of its most influential landholders, businessmen and townsmen. Without Partial Exclusion and Special Responsibilities the new Ministers might have found it politically very difficult to resist the clamour of the vocal portion of the new

electorates for the spending of Government revenue mainly on amenities and improvements for the towns and the villages where the voters are most advanced

478 Another important point is that under section 92 (1) of the Government of India Act 1935 no Act of the Central or Provincial Legislatures shall apply to Partially Excluded Areas unless the Governor by public notification so directs and the Governor in giving such a direction with respect to any Act may direct that that Act shall in its application to the area or to any specified part of it have effect subject to such exceptions or modifications as he thinks fit. He is also empowered to make regulations for the peace and good government of any partially excluded area. For the safeguarding of the legitimate interests of the aboriginal minority and for the peace and good government of the Partially Excluded Areas the Governor has Special Responsibilities under clauses (b) and (c) respectively of section 52 (1) of the Government of India Act and in so far as these responsibilities are involved has under section 52 (3) to exercise his individual judgment as to the action to be taken. That is to say under Article VIII of the Instrument of Instructions he is normally in dealing with aboriginal problems to be guided by the advice of his Ministers unless in his opinion so to be guided would be inconsistent with the fulfilment of his special responsibilities or with the proper discharge of any functions which he is otherwise by or under the Act required to exercise in his individual judgment. He is also to be studious so to exercise his powers as not to enable his Ministers to rely upon his special responsibilities in order to relieve themselves of responsibilities which are properly their own.

479 This power of applying Acts to Partially Excluded Areas with suitable exceptions and modifications is a most valuable power and I make bold to say that if there had been no Partial Exclusion at all sooner or later the Provincial Governments would have found it necessary to add a corresponding provision to their General Clauses Acts so as to meet the special problems of the backward areas and avoid the holding up of legislation needed in the advanced areas because the backward areas were not yet ripe for them. Our own Ministry in the Central Provinces as we have seen found it necessary in the debates on the Tenancy Amendment Bill of 1939 to leave certain exceptions admittedly necessary for the protection of aboriginal tenants to be dealt with later under section 92 of the Government of India Act after the enactment of the Tenancy Amendment Act for the whole province. But it has been pointed out in the sections of this Report dealing with loss of land how inadequate for the whole body of aboriginals the protection is in economic matters and the Partial Exclusion sections of the Government of India Act apply only to a small proportion of the aboriginals who need protection. In my view therefore even now there is urgent need to add to the Central Provinces General Clauses Act a provision empowering the Provincial Government to notify certain areas as Aboriginal Areas and providing that no Act of the Provincial Legislature shall apply to such areas except by a

special notification and subject, if necessary, to special exceptions and modifications, on precisely the same lines as are made applicable to Partially Excluded Areas by section 92 of the Government of India Act. As distinct from the Partial Exclusion provisions of the Government of India Act, such a decision, which should be taken only after the restoration of the normal constitution, would represent the considered decision of the autonomous provincial legislature voluntarily imposing certain restrictions upon the generality of its law-making powers. A similar provision is really necessary also in the General Clauses Act of the Central Legislature.

480 It is not practical politics to attempt at this stage to add to the Partially Excluded Areas. The Government of India Act itself in section 91 (2) permits only a reduction of the Partially Excluded Areas initially declared as such, or the alteration, but only by way of rectification of boundaries, of any Partially Excluded Area. The amendment of the General Clauses Act suggested in the preceding paragraph, combined with the special measures advocated in this report, especially the creation of an Aboriginal Tribes Department, should do what is necessary to obviate the effects of the short notice at which the final proposals for Partial Exclusion were worked out by the Governments in India and accepted by Parliament. Here in the Central Provinces the Southern Raipur *zamindaris*, the Baiga tracts of Bilaspur, half of Betul Tahsil and portions of Hoshangabad and Nimar Districts should have been Partially Excluded on the standards applied to the areas actually thus treated. Nothing can now be done to make these areas Partially Excluded, and the protection of their aboriginals must depend on the wisdom of the Ministers and legislature, on section 52 (1) clauses (b) and (c) of the Government of India Act and on Articles IX and XV of the Governor's Instrument of Instructions.

481 But there are certain boundary difficulties in the present Partially Excluded Areas. Thus the schedule attached to the Government of India (Excluded and Partially Excluded Areas) Order, 1936, refers to the Ahiri *zamindari* as "the Ahiri *zamindari* in the Sironcha tahsil". It was overlooked that 16 villages of the *zamindari* had been transferred for administrative purposes to the Garchiroli Tahsil, all the *zamindaris* of which were also made Partially Excluded. The intention definitely was that the whole of Ahiri *zamindari* should be Partially Excluded, and as no mention was made of a portion only of the *zamindari* being in Sironcha Tahsil (as was done in regard to Pachmarhi Jagir which is partly in Hoshangabad and partly in Chhindwara District) it is clear that it was never intended not partially to exclude the Garchiroli villages of the *zamindari*. The Legal Remembrancer considers that the schedule should therefore be amended to make this clear, and that this could legally be done by an Order in Council under section 91 (2) (c) of the Government of India Act.

482 It was intended that the whole of the Chhindwara jagirs should be Partially Excluded, but it was overlooked that

there are in the middle of the actually Partially Excluded Chhindwara jagirs two or three villages of the Bariam Pagara jagir the rest of which is in Hoshangabad. These Chhindwara District villages should also be made Partially Excluded by an amending Order in Council if the law permits there are obvious administrative difficulties in retaining such little such packets of non-excluded territory in the middle of Partially Excluded Areas. If it were also possible after adopting the suggestion made elsewhere in this report that the Hoshangabad villages of the Almod and Pachmarhi jagirs of Chhindwara should be transferred to Chhindwara District to secure that the whole of these jagirs are Partially Excluded instead of the small Hoshangabad portions of the jagirs being non-excluded, it would be an administrative advantage, though whether this could be legally done under section 92 (1) (c) of the Government of India Act seems more open to doubt.

483 Lastly there was an astonishing omission in the other wise Partially Excluded Katghora Tahsil of Bilaspur to make the village of Katghora itself Partially Excluded. This was clearly due to a mistake which will be obvious to anyone who reads paragraph 13 of the Central Provinces Government's letter no. G 1747-853-R of October 11th 1935 printed at pages 155-156 of the Indian Reprint of the Recommendations of the Provincial Governments and the Government of India under section 91 of the Government of India Act presented to Parliament by the Secretary of State for India in June 1936. That paragraph contains a sentence which reads—

Katghora Tahsil has a population of 214 719 of whom 54.2 per cent belong to primitive tribes, but the area is not so backward as the neighbouring zamindaris which have been recommended for Partial Exclusion.

On this ground and because the tahsil then enjoyed the franchise the Governor in Council did not consider special measures necessary for it completely overlooking the fact that the Katghora Tahsil consisted entirely of zamindaris recommended for Partial Exclusion except for the village of Katghora itself, which is the only *khalsa* village in the whole tahsil. This also should be rectified by an amending Order in Council under section 91 (2) (c) of the Government of India Act.

484 This brings us to the end of a long task. There has been considerable recent controversy in Indian journal interested in the social sciences and in the *Times of India* on the future of the aboriginal tribes of India and as to whether the policy should be isolation or assimilation. The Bibliography appended to this Report gives references to the principal articles dealing with this controversy. It should be clear from what I have written throughout this report that I do not regard isolation as practical politics for the aboriginals of the Central Provinces. All my recommendations have been governed by the view that the aboriginal must be fitted to hold his own against the rapid growth of modern civilization and to make his own contribution to the life of India and the world. William Morris*

long ago asked, "What remedy can there be for the blunders of civilisation but further civilisation?" Limited isolation, in the sense of not opening up the most backward areas too rapidly by communications and other means, has only been proposed where the tribal communities are so backward that they would be bound to go to the wall if immediately exposed to the full blast of modern conditions. When all is said and done, it is almost impossible to find any out-and-out isolationists, and the controversy is somewhat sterile. Mr Elwin himself, who has been attacked as an isolationist, has really summarised all that there is to be said on the question in the last sentence of his article on *The Problem of Culture-Contact* in *The Social Service Quarterly* (Bombay) for April 1942, where he implores his friends "on the other side of the house in this debate" to cease "tilting at non-existent isolationists" and "to consider with all the care and application of which they are capable how the great problem of culture-contact and culture-change can be tackled so that in this delicate and dangerous process the least possible injury is done to some of the best and finest and most lovable people in India". The quotation which stands at the head of this Chapter summarises the faith in which this Report has been written, "it is not beyond the power of India's primitive tribes, if properly treated, to stand on their own feet, control their affairs, and contribute their own quota of original and individual genius to the national life of India". Such a programme is eminently practical, and perhaps different only in degree from that set before themselves by the pioneers of the labour movement in England. The aboriginals will in time throw up their own leaders, and one of them may in his old age be able to say, as was said in 1923 by an English labour leader* looking back upon a lifetime in the service of the labour movement, which had raised him from a poor apprentice's bench to a Privy Councillorship and a seat in the Cabinet —

"I have seen many lands, but none as good as my own
I have mixed with many peoples but found none with so
large a measure of fellow-feeling or sense of fair play

And, finally, I have seen freedom broadening down to the class in which I was born and which I have tried to serve. When I was young, working folk were uneducated and unenfranchised. They were poor and dependent, and their working days were bounded by age and want, without concern by the State which their labour had enriched. Now they have at least a modicum of education, they are politically as well as industrially organized, and although there is still unemployment and, in too many instances, fear of want, yet these grim problems are being tackled with greater knowledge and more humane feeling than ever before. I take the present signs and tokens as indication of better things to be."

HYDERABAD, DECCAN

The 23rd November 1942

W V GRIGSON,

Aboriginal Tribes Enquiry Officer

*I owe the quotation, which is from page 295 of *From Workshop to War Cabinet*, by the Right Hon G N Barnes, to Arthur Bryant's *English Saga 1840-1940*, page 230

**SUMMARY OF RECOMMENDATIONS, BIBLIO-
GRAPHY, TABLES AND APPENDICES**

1

SUMMARY OF RECOMMENDATIONS

MINES

1 Financial ability adequately to house mine labour should be required of all applicants for mining leases (paragraph 7)

2 The extension to mines of the Payment of Wages Act should be considered (paragraph 7)

LOSS OF LAND

3 The heavy and increasing loss of tenancy land in the Central Provinces, even of ryotwari land, having been surveyed in paragraphs 15—119, legislation is considered an urgent necessity, and recommendations as to its form are made (paragraphs 120-125 and 127-128)

4 When the Act recommended in (3) becomes law, its application to any district should not depend merely on the initiative of district officers, but a definite enquiry should be ordered in each district as to the areas to which it should be applied, and a time-limit set for the replies (paragraph 126)

5 In areas still predominantly aboriginal such as most of Mandla, although there may be no grave immediate danger of expropriation, the consent of the Deputy Commissioner should be required before land, whether zamindari, malguzari or ryotwari, is sold or given out by proprietors or otherwise to non-aboriginal lessees, proprietors, tenants or ryots (paragraph 129)

6 The immediate application of the new Act to certain areas is recommended (paragraph 130)

7 A detailed examination should now be made of the cost of buying out malguzars in selected aboriginal areas, and Deputy Commissioners should be positively instructed to buy any malguzari shares in aboriginal areas in court or land revenue recovery sales, being provided with funds for the purpose (paragraph 132)

8 For protecting aboriginals in ryotwari villages legislation is not at present necessary, but certain new rules under section 211, Central Provinces Land Revenue Act, are recommended on the basis that vacant survey numbers in predominantly aboriginal tracts should be allotted only to aboriginals and the necessary village artisans and menials, and the Patel and muqaddam should invariably be aboriginals (paragraph 134)

9 Though legislation against alienation of ryotwari land is not at present necessary, the legislation recommended in (3) should contain a clause making it applicable to ryotwari holdings also, since it was proposed by the late Ministry to revise the Land Revenue Act so as, among other things, to make ryotwari land freely transferable (paragraph 135)

10 The existing Land Alienation Act should be applied to further areas and tribes (paragraphs 141—147; draft alternative notifications are given in Appendices A and B)

11 The Land Alienation Act and rules under it should be printed in the first volume of the Revenue Manual and a Circular fully explaining policy and procedure should be added to

the second volume including *inter alia* specimen mortgages in each form permissible under section 6 (paragraphs 148—152)

12 Revenue Book Circular III-8 should be supplemented by instructions to Collectors as to their correct course of action if Civil Courts send them decrees for execution in disregard of certain provisions of the Land Alienation Act (paragraph 151)

13 The leasing of villages in aboriginal zamindaris to non aboriginal *thekadars* should be discouraged and existing leases when possible terminated it being recognized that in zamindaris the system is really ryotwari the ryots holding from the zamindar instead of from Government (paragraph 153)

14 The period of 20 years for temporary leases now permissible without sanction under the Land Alienation Act should be reduced to 10 years and any lease should be terminable by the Deputy Commissioner if the lessee mismanages the property or oppresses the tenants. The lessor's right to create new tenancies should be clarified (paragraph 154)

15 The definition of land in section 2 (2) of the Land Alienation Act should be amended to include house-sites (paragraphs 155 and 170)

16 The application of the Central Provinces Land Alienation Act to *warra* villages in Berar is suggested (paragraph 165)

17 To prevent further loss of aboriginal occupants' lands in Berar, section 66 of the Berar Land Revenue Code should be amended to make it applicable to areas other than the Melghat Taluq as constituted in 1911 when the Provincial Government thinks this necessary for the protection of aboriginal tribes and backward castes (paragraph 168) and it should be so applied to areas in Yeotmal (*ibidem*) Amraoti (paragraph 171) and Buldana (paragraph 177). The amendment should annul retrospectively all alienations made between January 1st 1940 and the date on which it comes into force (paragraph 171)

18 The proviso to notification no 466-XII dated the 20th April 1920 printed at page 49 of the Berar Revenue Manual Volume I (1938 edition) should be cancelled and in areas where protection of aboriginal tribes and backward castes is necessary no fresh sites in the *gaothan* should be given to any one who is not a member of such tribes or castes (paragraph 170)

19 A land acquisition fund should be set up for enabling aboriginals to recover land from which they have been expropriated on an experimental basis in certain selected areas (paragraphs 170 and 172)

20 Where non aboriginal exploiters have dispossessed aboriginal villagers from ownership of their lands in suitable cases the incomers' property should be acquired under the Land Acquisition Act for the public purpose of the economic rehabilitation of the aboriginals (paragraphs 170 and 173)

21 Certain recommendations are made about the Melghat (paragraphs 187 and 189)

22 The Dharni tract is suggested as an ideal area for a large scale nation building experiment (paragraph 189)

VILLAGE OFFICERS

23 The Land Revenue Act and rules should be amended to provide that the *muqaddam*, and not merely the *gumashta*, should be an aboriginal in villages with a large aboriginal majority (paragraph 194)

24 The aboriginal *muqaddam* or *gumashta* must get a reasonable remuneration, fixed by Government, be appointed by Government, have security of tenure and be free of all *begar*. To secure adequate remuneration he should where possible be appointed for a group of villages. He should where feasible control rent recovery, surrenders, grant of land, etc., ultimately perhaps becoming a collecting agent on the system advocated by the Sambalpur Land Laws Committee, Orissa, 1939, in replacement of the *lambardari* system (paragraph 198)

25 In Berar the Patels and Patwaris Law should be amended to make special provision for appointment of aboriginals as patels and patwaris, not only in the Melghat and former Melghat villages, but also outside the Melghat in such areas as the Morsi-Betul border and the aboriginal villages of Yeotmal (paragraphs 181 and 199)

26 The minimum remuneration of aboriginal patels should be Rs 60 and of aboriginal patwaris Rs 200 (paragraph 199)

DEBT

27 Much greater publicity should be given to the Central Provinces and Berar Relief of Indebtedness Act and Debt Relief Courts (paragraph 223)

28 There should be provisions added to the Central Provinces Protection of Debtors Act, 1937, that no suit shall lie in any Court for recovery of a debt by a creditor convicted of molestation with intent to recover that debt, and that a court convicting a moneylender or any dun employed by him might direct the cancellation of his registration certificate under section 11-B, Central Provinces Moneylenders Act. The permission of the Court should be required for the compounding of any offence under the Protection of Debtors Act (paragraph 226)

29 The two acts mentioned in the last recommendation do not adequately protect aboriginal debtors, and immediate special legislation is recommended on the lines advocated by Mr Symington for Bombay with certain additions (paragraphs 213, 227—231)

30 Forest and other contractors working in backward areas should be brought within the scope of this special legislation (paragraphs 232 and 391)

31 The Moneylenders Act should compel moneylenders to keep proper accounts, and should penalise the false entry of a fictitious principal in a bond or the splitting of an old account into two or three when a bond is renewed (paragraph 233)

32 Debt relief measures in backward areas should be administered mainly by executive officers or at least by touring courts (paragraphs 234 and 235)

33 Registered moneylenders should be disqualified from membership of Village Panchayats Courts and Benches (paragraph 234)

34 Legislation on the lines of section 6 of the Bombay Mamlatdars Courts Act 1906 enlarged to legalise tahsil officers functioning as Debt Relief Courts in backward areas is recommended (paragraphs 234 and 235)

35 Before making an order for payment Debt Relief Courts should call for and duly consider particulars from the local revenue or forest officers of the debtor's property income and number of dependants (paragraph 236)

36 If there is to be effective debt relief in aboriginal areas all creditors should in law be required to prefer all claims against aboriginal debtors before the Debt Relief Court, and no claim not so preferred within a prescribed period should subsequently be enforceable at law (paragraph 237)

37 Section 5 (i) of the Relief of Indebtedness Act should be amended to provide that when a debtor is an aboriginal the civil Judge shall draw his attention to section 6 and assist him to draw up an application to be presented to a Debt Relief Court under sub-section (2) (paragraph 238)

38 Free legal advice should be available for aboriginals under certain conditions (paragraph 239)

39 A Debt Relief Court in an aboriginal case should be empowered and instructed to use its discretion as to the admissibility of oral evidence and in particular should not regard a document executed by an illiterate or ignorant aboriginal as *per se* more reliable than oral evidence of the same transaction (paragraphs 213 and 240)

40 The interest provisions of the Relief of Indebtedness Act and the Central Provinces Usurious Loans (Amendment) Act should in aboriginal areas be replaced by section 3 of the Madras Agency Tracts Interest and Land Transfer Act 1917 (paragraph 241)

BOND-SERVICE

41 Any legislation to regulate bond-service should contain a clause making offences against the Children (Pledging of Labour) Act 1933 cognizable the Act being now unknown and a dead letter (paragraphs 250 and 271)

42 Section 2 (vii) of the Central Provinces Moneylenders Act should be repealed or amended so as to bring advances to agricultural labourers within the scope of the Act and provide for annual statements of account (paragraphs 229 223 and 270)

43 For farm labourers a *rasid bahi* should be prescribed in which all details of remuneration paid and repayments of debt should be entered these *rasid bahi* to be open to inspection by revenue police forest and land records officials (paragraph 270)

44 Legislation is needed on the lines of the Madras Agency Debt Bondage Abolition Regulation, 1940 (Madras Regulation III of 1940), with certain changes (paragraph 271) This should be effected at once by a section 93, Government of India Act, enactment (paragraph 273)

45 The replies received to the questionnaire on this subject should be made available to Mr. Dinkar Desai of the Servants of India Society for his investigation of bond-service in India (paragraph 275)

AGRICULTURE

46 Under careful planning and supervision *jalapod* or *podu* cultivation should be allowed, combined with teak sowing, in the Partially Excluded Areas of Chanda, and further areas of teak forest should be leased by Government (paragraphs 278-279)

47 The surviving *bewar* cultivation in the Bariam-Pagara *jagu* and other *jagir* villages of Hoshangabad should not be interfered with (paragraph 281)

48 The shifting cultivation that survives in a few districts does no harm, but keeps contented the most primitive tribes of the province It should on no account be stopped, and district officers should be deprived of the power to stop it (paragraphs 283, 382 and 384)

49 The Agriculture Department in the very backward areas should concentrate on improving *bari* cultivation [paragraphs 287, 447 (d) and 449]

50 A co-operative organization for sale of aboriginal produce and purchase of aboriginal needs at a reasonable cost is urgently needed (paragraph 288)

51 Certain proposals of the Director of Agriculture for aboriginal areas should be sanctioned (paragraphs 290-291)

52 The Director of Agriculture's scheme for research on small millets should receive support from Government, and research on maize should be encouraged (paragraph 292)

53 The Kodajhiri experiment is commended, and it is suggested that similar experiments should be made in ryotwari villages in other districts also (paragraph 294)

54 In backward areas spinning as basic craft in *vidya mandir* and schools should be replaced by agriculture (paragraph 295)

55 Every aboriginal school should have attached to it a large *bari* for teaching the boys fruit and vegetable and improved *bari* crop cultivation (paragraph 296)

56 In the backward areas Marar should be recruited as agricultural *jamadars*, for demonstration work should be done through controlled Marar colonies (paragraph 296)

VETERINARY

57 The possibilities of stock-raising in preference to agriculture should be considered for many of the Partially Excluded Areas (paragraphs 297 and 316)

58 In cattle farms in such areas the policy should not be solely to breed cattle suitable for the plains but attention should also be devoted to cattle suitable for the local aboriginal (paragraph 298)

59 A large expansion of touring veterinary dispensaries of the Mawai type and intensive measures against cattle disease are needed in the tribal areas including further quarantine stations (paragraph 299)

INDUSTRIES

60 The main need of the backward areas is elementary carpentry and ability to make and repair agricultural tools (paragraphs 301 and 305)

61 Steps should be taken to encourage the cottage industries mentioned in the report of the Central Provinces and Berar Industrial Survey Committee of 1939 (paragraphs 302 and 313)

62 Steps for improving and helping the basketry industry should be taken (paragraph 303)

63 Recommendations are made as to teaching of cottage industries in primary schools (paragraph 304)

64 Village artisans should be subsidised to settle in aboriginal villages to teach their craft (paragraph 305)

CO-OPERATIVE DEPARTMENT AND RURAL CREDIT

65 After protection from loss of land and the moneylender the aboriginals' main need is an alternative source of cheap credit through a co-operative organization which will undertake carting and other forest contracts market produce supply cheap cloth salt spices etc. and help to finance marriages and other domestic ceremonies. It is particularly important to recognize such social expenditure as a necessary and vital element in tribal culture (paragraphs 306 and 316)

66 Seed loans to aboriginals made by Government a co-operative society or a seed union should be accounted for in kind and repaid in kind (paragraphs 307 and 315)

67 Purchase-and sale societies and grain depôts should be established on a wide scale on the lines advocated in paragraphs 29-37 of the Symington Report on the Aboriginal and Hill Tribes of the Partially Excluded Areas in the Province of Bombay (paragraphs 308 315 and 316)

68 Special attention must be paid to propaganda methods knowledge of aboriginal languages and local dialects of Hindi if the co-operative movement is to progress in the backward areas (paragraph 311)

69 The making of taccavi loans to co-operative societies instead of to individuals should be considered in aboriginal areas (paragraph 312)

70 General stores-cum sales depôts as tried by the Government of Madras for the aboriginals of the East Godavari and Kurnool Districts should be tried as experiments in South Chanda the Melghat and Baihar Taluk (paragraph 314)

PUBLIC HEALTH AND MEDICAL RELIEF

71 A nutritional survey of aboriginal areas is essential for effective planning of agriculture and public health work (paragraph 319)

72. A strong anti-malaria service should be almost a first charge on Government funds in the province, particularly in the backward areas (paragraph 319)

73 A policy of combined travelling-*cum*-stationary dispensaries is needed (paragraph 320)

74 "Teams" of medical officers should be organised for regular systematic tours of aboriginal areas (paragraph 321)

75. Legislation is needed to penalise the activities of quack treaters of cataracts (paragraph 322)

76 No further grants of medical relief should be given to towns until what is necessary in the backward areas has been provided, and municipalities should be required to meet part at least of the pay of medical officers in charge of town dispensaries (paragraph 323)

77 The most practicable lines of attack upon malaria are educating the villagers themselves to take measures against mosquito larvae, and attacking the adult carrying mosquito with insecticides in the village house and cattle-sheds, such as pyrethrum and lentana oil (paragraphs 329—331)

78 Government must sponsor active steps against venereal disease (paragraph 332), skin diseases (paragraph 333), yaws (paragraph 334) and leprosy (paragraph 335)

79 For these purposes a large increase in the health staff employed in aboriginal areas is necessary, the restoration of Civil Surgeons in such districts as Mandla and Balaghat, and the regulation of their duties to ensure them ample time for touring (paragraph 336)

EXCISE

80 Any prohibition or liquor restriction policy for aboriginal areas can only be initiated after long and careful propaganda accompanied by a full and well-planned nation-building programme, a real attempt being made to enlist the sustained support and sympathy of aboriginal headmen and elders (paragraphs 356, 359 and 376)

81 The present policy in regard to liquor should be—

- (i) to see that where in his present social development the aboriginal must have drink freely for social and religious occasions and in sickness he may be able to get it at a price that does not drive him to smuggling or illicit distillation,
- (ii) not to expose him to habitual drunkenness or revive drinking habits where they are things of the past, and
- (iii) to teach him temperance (paragraph 361)

82 Excise changes should be discussed in advance with aboriginals and in meetings of special aboriginal excise advisory committees to be constituted in all important aboriginal areas (paragraph 361)

83 Complete prohibition of opium and hemp drugs with in four or five years should be the policy in aboriginal areas (paragraph 362)

84 The system of free licences for tapping palm trees in vogue in certain Maria villages in Chanda District should be extended to other Maria villages in the Partially Excluded Areas of Chanda and Drug and to certain other castes and there is nothing to be gained by tightening control of this free tapping (paragraph 363)

85 On no account should any tree-tax however nominal be imposed in the villages where the system of free tapping licence is now in force or may be introduced (paragraph 364)

86 The constant zig zagging of policy between outstill and distillery liquor must cease. In predominantly aboriginal areas except the Melghat outstill liquor must continue to be provided and Government should revert to outstill liquor not necessarily to outstills wherever the outstill system was in force in 1935 and 1936 except in Chhindwara District outside the jagirs and perhaps the Kundam tract of Jabulpore District (paragraph 365)

87 Experimental departmental central pot distilleries should be tried in Baisar Mandla and Bhainsdehi Tahsils and the Chhindwara jagirs under sanitary conditions and periodic medical inspection with compulsory employment of aboriginals to pour water on to the mahua flowers before distillation (paragraphs 366-368)

88 Where the outstill system continues the licences should insist on the employment of aboriginals as in the preceding recommendation and on clean and sanitary distilling conditions and should prohibit the use of copper stills without doublers. Further control should be effected by restriction of the hours of distilling and by enlisting the support of tribal headmen and elders in checking abuses declaring selected aboriginals Excise officers under Excise Act section 7 (d) (paragraphs 368 and 376)

89 Proposals as to the number of shops selling rates limits of possession pass rules and the disc system are made (paragraph 369)

90 A system of free permits to distil liquor for public festivals weddings funerals and *sidoli* feasts based on the system in force in certain hill tracts of Orissa should be experimented with in Dindori Tahsil the Chhindwara jagirs and the Chander zamindaris (paragraphs 370 and 371)

91 There should be no limitation of aboriginal possession of mahua flowers or taxation of purchase of mahua flowers (paragraph 372)

92 More aboriginal excise peons should be recruited and aboriginals prejudices over entry of non aboriginals into their houses in house-searches should be respected by employing aboriginals for house searching (paragraph 373)

93 In aboriginal areas liquor shops should not be closed on festival days except for the Mandai and Meghnath festivals, and local *jatra*. They should however be closed on market days and on the preceding evening and the following morning (paragraph 374)

94 Illicit distillation cases should as far as possible be tried in the villages where the offences were detected (paragraph 375)

95 The best places for temperance propaganda are schools and dispensaries, for propagandists we must depend on touring officials and social and religious missionaries, but should not at present appoint aboriginals who would become local tyrants (paragraph 376)

96 At least half the net excise revenue derived from aboriginal areas should be earmarked for educational, temperance and nation-building work and propaganda in those areas (paragraph 376)

FORESTS

97 Departmental management of minor forest produce is recommended (paragraph 313)

98 Divisional Forest Officers should on tour check the allegations underlying some of the forest offences compounded by their Assistants, and where necessary revise the composition fees fixed (paragraph 380)

99 Certain further recommendations regarding various types of shifting cultivation are made (paragraphs 382—84)

100 Forest guards and police constables need careful instruction in their duties and powers under the Game, Forest and Fisheries Acts (paragraph 385)

101. The operation of section 5 of the Fisheries Act and of certain rules under section 26 (1) (j) of the Forest Act should be suspended in certain aboriginal areas (paragraph 385)

102 Forest villagers should be allowed each year to shoot a certain number of deer free of fee under the Game or Forest Act (paragraph 386, foot-note)

103 Motor transport of forest produce from metalled road-head to railhead is economical to Government and in the interests of aboriginals, the policy of stopping it should be reversed [paragraphs 387 (a) and 388]

104 Present grazing rates are fair and should not be reduced [paragraphs 387 (b) and 389]

105 A freer hand in fixing wages should be given to the Divisional Forest Officer, and wages should at present be increased [paragraphs 387 (c) and 390]

106 There should be close liaison between the Forest and other nation-building departments, the former being the best fitted to co-ordinate nation-building in semi-forest localities [paragraphs 387 (d) and 399].

107 Departmental working should replace contracts wherever possible and forest contracts should contain a clause prescribing minimum wages for forest labourers [paragraphs 387 (c) 390 391 and 392]

108 The Prevention of Cruelty to Animals Act should be amended in certain ways and extended to forest areas to prevent overloading of carts and consequent loss of aboriginals' cattle [paragraphs 387 (f) 388 and 393]

109 The remuneration of the forest *muqaddam* and *kolwar* should be improved [paragraph 387 (g)]

110 More forest schools should be opened and none should be transferred to District Councils [paragraphs 387 (h) and 397]

111 Forest villages are in general well managed with due consideration for the villagers' cultivation (paragraph 390) but greater attention should be paid to housing and sanitation (paragraph 395)

112 Aboriginal carting co-operative societies should be started and in aboriginal areas the construction and repair of aboriginals' carts should be added to the purposes for which free grants of timber may be given (paragraph 393)

113 The proper maintenance of forest roads and provision of permanent crossings is essential (paragraph 394)

114 Larger allotments of forest *taccavi* should be made and weddings and funerals should be added to the objects for which loans may be given (paragraph 395)

115 More money is needed for water supply in forest villages (paragraph 396)

116 There should be at least one travelling *cum* stationary dispensary paid for from the forest budget in each major forest division (paragraph 398)

117 Similar touring veterinary dispensaries in forest divisions with large-scale departmental operations are desirable (paragraph 399)

118 There is an overwhelming moral case for reinvesting in forest welfare works some part of the *great profits* accruing to Government from forest war contracts (paragraph 399)

119 A forward policy of adequate housing for forest subordinates is essential for their health contentment and morale and for reducing labour demands in forest villages (paragraph 400)

PRIVATE FORESTS

120 Any proposal to make aboriginal *zamindari* alienable is contrary to aboriginal interests and should be opposed (paragraphs 400-06 and 408)

121 Mr Kamath's proposed grazing and *nistar* legislation and Bill to enable Government to take over the management of *zamindari* forests are welcomed in the interests of both the *zamindars* and the ryots who should benefit enormously from departmental working of private forests (paragraph 407)

122 Such legislation is even more necessary for *malgu ari* than for *zamindari* forests (paragraph 408)

COMMUNICATIONS

123 Recommendations are made as to the general policy to be followed in opening up the backward areas by roads (paragraphs 457—59)

124 A specific programme of works to be undertaken in the next twenty years is suggested (paragraph 458)

LAW AND ORDER

125 The attempt to prohibit cock-fighting in the Chanda zamindaris was needlessly officious and should be abandoned (paragraph 280)

126 Prompt trial of all cases where aborigines are parties or witnesses is essential, and as often as possible this should take place in the villages where the offences were committed (paragraph 375)

127 A monthly return from each subordinate Magistrate to the District Magistrate of cases in which aborigines are tried is a valuable guide to uniformity and scale of penalties and to duration of cases (paragraph 375).

128 The worst offenders now in respect of *begar*, *rasad* and petty tyranny are the village *malguzar*, and the subordinate zamindari official, and the remedies advocated are more effective touring and use of sections 74 and 88-A of the Tenancy Act, the latter being amended to penalise *begar* whether paid for or not, and the taking of *begar* and other illegal exactions being made cognisable offences (paragraphs 400 and 467)

129 Complaints over supplies for touring officers should be reduced by prompter payment by means of imprests in the hands of local officials responsible for touring arrangements, advances by touring officers, adequate supplies of small change for prompt personal payment, use of a touring *bania's* shop, and greater care in drawing up a fairer *nirakhnama* (paragraph 402)

130 Mr Best's scheme of village headmen's books for the entry of all requisitions of labour and supplies should be prescribed for all villages, and all purchases in villages of grain, cattle, poultry, etc., should require the sanction of the district departmental officer (paragraph 403)

131 The ultimate remedy for *begar*, *rasad*, *mamul* and *mukasi* grievances is the fostering among tribesmen of intelligent and educated self-respect by a combination of school and political education (paragraph 404)

132 There should be a freer conferral of civil judicial powers on revenue officers in backward areas, civil cases should be tried in camp, debt relief courts should tour, and Tahsildars should receive the powers of Bombay Mamlatdars (paragraph 428)

133 A detailed investigation of tribal customary law on anthropological lines by trained investigators, spread over a number of years, is needed for the guidance of judges and lawyers (paragraph 430)

134 To obviate the difficulties caused by the general judicial ignorance of tribal law, more recourse should be had to arbitration panchayats in civil cases where tribal law and custom are in issue and also in tribal matrimonial and defamation cases on the model of rule 45 of the Madras Agency Rules for regulating civil procedure in the Madras Agency Tracts (paragraph 430)

135 The Oaths Act should be amended to empower a Court *suo motu* to propose for aboriginals or any aboriginal areas a special oath (paragraph 431)

136 The adultery sections of the Indian Penal Code should not apply to most of the aboriginals and jurisdiction in such matters should be left to tribal panchayats (paragraph 433)

137 Weights and measures offences should be made cognisable in all backward areas (paragraph 467)

POLITICAL EDUCATION

138 The abolition of nomination of aboriginal members of Local Boards and District Councils effected by Central Provinces and Berar Act XXXII of 1939 was a premature and regrettable change (paragraph 415)

139 The aboriginal areas have been completely neglected by the existing District Councils and Local Boards (paragraphs 416—23) and should be replaced by Independent Local Boards with official office bearers and mostly nominated members (paragraphs 423—27). Such Boards should be formed for the Partially Excluded Areas (other than Mandla District) and for the Raipur and Drug zamindaris

140 The present Sironcha Independent Local Board should be abolished the *khalsa* portion of Sironcha being placed under the Chanda District Council and a new Independent Local Board being formed for all the Chanda zamindaris (paragraph 426)

141 The Mandla District Council should be strengthened by appointing official Chairmen for the Council and its three Local Boards, and by increasing the nominated element in all these bodies (paragraph 426)

142 Where an elected element is maintained in aboriginal District Councils or Independent Local Boards it should except in Mandla District represent the non aboriginals only (paragraph 427)

143 The Village Panchayat Act in aboriginal areas should allow the tax payer to commute for his panchayat tax by giving his labour for village works (paragraph 428)

144 The present records prescribed for Village Courts and Benches are over-elaborate for aboriginal villages and should be simplified (paragraph 428)

145 On the whole no attempt should be made to regularize the present tribal panchayats which should be left to function as they now do while Government policy should aim at the formation of group panchayats for justice and for administration for patwari circles or groups of villages constituted at group meetings without formal election by ballot on a system akin to that

prescribed at pages 59—65 of the Bengal Union Board Manual, Volume I, the system not necessarily being uniform throughout the Province (paragraph 434)

146 The Bengal Union Board system provides the best general pattern for local government institution in the backward areas (paragraphs 435—38)

147 A system of indirect election is suitable for backward areas (paragraph 436)

148 Schools in backward areas should be given practical civic training by means of school panchayats and elections [paragraphs 439 and 447 (i)]

149 Active and well-spaced touring by district officers is a principal agency of political education (paragraph 453)

EDUCATION

150 The Provincial Government should appoint a committee to advise on aboriginal education in the light of the material collected in this enquiry and by the Educational Department (paragraph 440)

151 The present divorce in schools in aboriginal areas between teachers and aboriginals must be removed by securing that aboriginals knowing aboriginal languages are appointed after special training in a special training school for aboriginals, for which the best site would be some place in the mixed Gond and Korku area of Bhainsdehī Tahsil (paragraphs 443 and 448)

152 To provide a nucleus of aboriginals suitable for this training aboriginal middle schools should be opened as soon as possible at Ghatang on the Ellichpur-Burhanpur road and Chicholadhana on the Ellichpur-Betul road (paragraph 443)

153 Brick and mortar buildings are not needed for these three schools, but settlements on the lines of improved village houses, to serve as lessons in improved housing and sanitation, while special attention must be paid to the teaching and practice of anti-malaria measures (paragraph 443)

154 The aims of aboriginal education should be—

- (i) to conserve and develop tribal culture, religion and institutions,
- (ii) to equip the aboriginal to defend himself against those elements of civilisation that threaten to destroy or degrade him, and to adapt himself to and make his own contribution to the modern world, and
- (iii) to improve his economic condition (paragraph 445)

155 The subjects taught, recreations and organisation of schools in aboriginal areas should be of an aboriginal character, the present ill-staffed and detribalising schools being abandoned (paragraphs 446—48)

156 School holidays should be given for aboriginal, not for Hindu, Muslim and Christian holidays and on the weekly bazar days rather than on Sundays, while the vacations should

be regulated by local sowing harvesting and food gathering operations [paragraphs 446 (i) and 451]

157 Tribal songs dances, archery and games should take a prominent part in school life [paragraphs 446 (2) and (3) 447 (g) and 450]

158 Examinations impose an unnecessary strain on tribal children [paragraph 446 (4)]

159 Punishments especially corporal punishment have a bad effect on aboriginal children [paragraph 446 (5)]

160 There should be a special department for aboriginal education the control of which should be taken out of the hands of local bodies and private bodies, and the future system should be based on anthropological principles (paragraphs 447 and 451)

161 There should be no compulsory attendance. A few good schools are better than many bad schools and no school should be opened unless it can be run well with a first rate teacher and adequate equipment [paragraph 447 (a)]

162 One boarding hostel is worth twenty day schools and there are advantages in entrusting the management of these to private bodies [paragraph 447 (b)]

163 Buildings should be simple mud houses in Gond style on hill tops or river banks [paragraph 447 (c)]

164 An adapted form of the Wardha Basic Education Syllabus is desirable for aboriginal schools with carpentry *not* spinning and weaving as the basic craft some basketry wood-carving and *bari* or garden cultivation. Ironwork is not suitable [paragraphs 447 (a) and 449]

165 Special readers in aboriginal languages where these are spoken should be prepared [paragraph 447 (e)]

166 There should be simple hygiene and sex teaching [paragraph 447 (f)]

167 Cattle and other domestic animals poultry and pets should be kept in aboriginal schools as well as bees (paragraph 449)

168 If it still prove necessary to import teachers from the plains their dislike of living in *kala pani* should be met by closing the schools in the worst monsoon months and allowing them leave of absence with pay to visit their houses (paragraph 451)

ADMINISTRATIVE ARRANGEMENTS

169 The Hoshangabad villages of the Almod and Pachmarhi jagirs should be transferred to Chhindwara District (paragraph 281 foot note)

170 The most essential thing is adequate touring by the district staff, well spaced in time and area off the metalled roads controlled for all departments by the Deputy Commissioner (paragraph 453)

171 Continuity of personal administration is desirable in all backward areas and the over-frequent transfers of revenue officers which have been a feature of recent years must cease (paragraph 154)

172 To secure the health and contentment of officials in backward areas there should be more generous provision of bad climate allowances, grants for social amenities and anti-malarial work and abolition of penal postings to backward areas (paragraph 154)

173 Aboriginal rallies should be held at different centres during the year (paragraph 455)

174 Officers must be encouraged by rewards to attain proficiency in the Gondi and Korku languages (paragraph 456)

175 Greater attention should be paid to the recruitment of aboriginals in all branches of Government service (paragraph 460)

176 The Warora tahsil should be transferred from Chanda to Wardha District and the Partially Excluded Areas of Drug to Chanda District, with a new Murumgaon Tahsil, the *khalsa* areas of Garchiroli being placed under Brahmapuri or an independent Naib-Tahsildar at Garchiroli (paragraph 463)

177 Baihar Tahsil should be transferred to Mandla District and the rest of Balaghat District to a reconstituted Seoni District with a resident Sub-divisional Officer at Balaghat (paragraph 464)

178 All the Partially Excluded Areas of Bilaspur District should be included in the Kitghora tahsil (paragraph 465)

179 Recent policy as regards the aboriginal zamindar should be reversed, and duties should be imposed on him and his privileges confirmed by legislation, which should also strengthen Government's powers of intervention (paragraph 466)

180 In view of Article XV of the Governor's Instrument of Instructions and the seriousness of the whole aboriginal problem, a senior I C S officer should be made Protector of Aborigines, with a special department under him. This post could well be combined with the existing post of Excise Commissioner (paragraph 474)

181 There should be constituted a Provincial Aborigines Advisory Board with the Prime Minister or an Adviser as Chairman, the Protector of Aborigines as Secretary and Member, and representatives of the legislature, officials and public, to meet quarterly and be consulted on all schemes for the betterment of aborigines (paragraph 475)

182 There should be constituted an Aborigines' Welfare Trust Fund, with an annual grant from provincial revenues of at least Rs 3 lakhs, to be supplemented by donations, subscriptions and legacies and administered by the Provincial Board (paragraph 475)

183 Each district with Partially Excluded Areas and other districts with large aboriginal populations should have an Aboriginal Betterment Committee (paragraph 475).

184 These committees should submit annual reports to form the basis of the annual progress report to be compiled by the Protector of Aborigines and reviewed by the Provincial Board (paragraph 475)

185 The Central Provinces General Clauses Act should be amended to empower the Provincial Governments to notify areas as aboriginal areas and provide that no Act of the Provincial legislature shall apply to such areas except by a special notification and subject if necessary to special exceptions and modifications. A similar provision is really needed in the Indian General Clauses Act for central legislation (paragraph 479)

186 An amending Order in Council under section 92 (1) (c) of the Government of India Act 1935, is needed for rectification of the boundaries of the Partially Excluded Areas of Chanda (paragraph 481) Chhindwara (paragraph 482) and Bilaspur (paragraph 483)

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*The economic, administrative and political literature of Modern India is singularly silent about the aborigines and their problems

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Do We Really Want to Keep Them in a Zoo? an article by Verrier Elwin in Volume II, No 4, pages 438—448, March 1942 of *The Indian Journal of Social Work* is a spirited reply to Mr Thakkar's *The Problem of Aborigines in India*

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TABLES

TABLE I

Population and Tribal Population of each district, Central Provinces and Berar

District	Tribal of all religions, 1911			Tribal (all religions) persons, 1931
	Males	Females	Persons	
(1)	(2)	(3)	(4)	(5)
Amraoti	41,765	11,841	53,607	87,789
Jubbulpore	9,451	101,785	199,39	185,660
Mandla	149,28	152,980	302,918	265,426
Hoshangabad	68,642	63,305	1,27,147	122,615
Nimar	53,923	53,011	106,934	92,723
Betul	88,301	84,142	167,447	153,163
Chhindwara	10,721	195,910	381,651	373,078
Wardha	21,833	25,697	50,530	56,566
Nagpur	29,392	29,328	58,720	62,554
Chanda	15,233	84,893	170,126	157,386
Bhandara	34,639	77,802	111,461	110,202
Balaghat	67,912	69,130	137,142	126,130
Raipur	12,606	131,301	309,402	358,578
Bilaspur	157,95	165,392	323,350	328,933
Drug	91,550	100,455	192,285	179,336
Amraoti	..	31,776	30,127	62,203
Akola	..	12,419	17,209	34,028
Buldana	..	9,703	9,654	19,387
Yeotmal	..	78,901	79,593	158,494
Total Central Provinces	..	1,337,709	1,376,880	2,716,569
Total Berar	..	137,199	136,913	271,112
Total Central Provinces and Berar	..	1,474,908	1,515,793	2,990,701
	..			2,958,272

District	Column (4) and column (5) or —	Total population, 1941	Tribal Percentage	
			1941	1931
(1)	(6)	(7)	(8)	(9)
Saugor	—4,182	939,068	8.9	9.7
Jubbulpore	+14,079	910,613	21.9	24.0
Mandla	+37,492	504,580	60.5	59.5
Hoshangabad	—4,532	823,585	15.4	15.2
Nimar	+14,211	513,276	20.8	19.8
Betul	+14,282	438,342	38.2	37.7
Chhindwara	+11,603	1,034,040	37.2	38.6
Wardha	—6,036	519,330	9.7	11.0
Nagpur	—3,634	1,059,989	5.5	6.6
Chanda	+12,740	873,784	19.5	20.7
Bhandara	+1,259	963,225	11.6	13.4
Balaghat	+11,012	634,350	21.6	22.5
Raipur	—58,176	1,525,686	19.7	23.5
Bilaspur	—5,633	1,549,509	20.9	23.5
Drug	+12,949	928,851	20.7	21.9
Amraoti	—8,194	988,524	6.3	7.5
Akola	—8,296	907,742	3.7	4.8
Buldana	—5,435	820,862	2.3	3.2
Yeotmal	—2,246	887,738	17.8	18.7
Total Central Provinces	+56,600	13,217,718	20.5	22.0
Total Berar	—24,171	3,604,866	7.6	8.7
Total Central Provinces and Berar	+32,429	16,822,584	17.8	19.1

TABLE II

General, Tribal and Hindu Population of Partially Excluded Areas including total number of Laterate Persons

Tahsil	Population			Tribes	
	Male	Female	Total	Tribal Religion	Total including those returned as Hindu
(1)	(2)	(3)	(4)	(5)	*(6)
Mandla District—					
Mandla	107 328	108 832	216,160	90 402	110 248
Dindori	75 657	76,347	152 004	73 485	98 339
Niwara	68 203	68,213	136 416	34 748	94 331
Total	251 188	253 392	504 580	198 635	302 918
Betul District —					
Bhainsdehi	52 144	52,291	104 435	31 990	60 312
Chhindwara District—					
Chhindwara	28,363	27 051	55 414	25 339	33 011
Amrwarra	19 082	19 327	38 409	23 664	29 281
Total	47 445	46 378	93 823	49 003	62 292
Chanda District—					
Garchiroli	34 717	34 176	68 893	19 812	35 345
Sironcha	22 135	24 003	46 138	29 991	32 476
Total	56,852	58 179	115 031	49 803	70 821
Balaghat District—					
Baihar	56,205	56 402	112 607	19,384	63 591
Drug District—					
Sanjari	40,651	41,551	82 202	16,750	51 452
Bilaspur District—					
Bilaspur	65 764	65 935	131,699	71	58,377
Katghora	124,010	124 194	248 204	320	127 852
Total	189 774	190 129	379 903	391	186,229
Amreoti District—					
Meihat	24 946	22 983	47 929	27	35,528
Total All Partially Ex- cluded Areas.	719,205	721 305	1 440,510	365 983	833 143

[Continued on the next page]

*The excess of the figures in column (6) over those in column (5) gives the total of aboriginals returned as Hindu by religion this total is also included in the figures in column (8)

TABLE II—cont

General, Tribal and Hindu Population of Partially Included Areas, including total number of Literate Persons—cont

Table	Hindus		Literates	
	Schedule Caste	Others	Male	Female
(1)	(2)	(3)	(4)	(5)
North Provinces				
Meerut	4,213	110,763	11,660	1,957
Dumraon	612	70,330	5,939	724
Shamli	3,021	98,143	5,562	370
Total	19,333	277,633	26,174	3,051
Benares District				
Benares	163	62,423	5,667	401
Chhota Bhopal District				
Chhota Bhopal	4,629	24,016	1,993	263
Ambernagar	3,134	11,693	894	62
Total	7,763	35,111	2,887	325
Chandigarh District				
Cochinwalla	1,591	34,493	..	..
Sirhind	2,936	11,384	1,932	577
Total	16,527	48,877	1,932	577
Balaghat District				
Balaghat	7,656	83,942	19,004	3,025
Drug District				
Sanjari	7,276	57,560	..	..
Bilaspur District				
Bilaspur	16,387	112,274	..	..
Katghora	43,777	202,097	4,033	171
Total	60,164	314,371	4,033	171
Amritsar District				
Melghat	1,903	43,363	1,742	172
Total, All Partially Excluded Areas	128,790	923,304	61,439	7,725

*The excess of the figures in column (6) over those in column (5) gives the total laboriginals returned as Hindu by religion, this total is also included in the figures in column (8)

TABLE III

Aboriginal Statistics, 1891—1931, Central Provinces and Berar (excluding States)
Total for province

Tribe	1891	1901	1911	1921	1931	(In order of numerical importance 1931)
Gond	1 666 764	1 523 170	1 755 141	1 714 898	1 891 835	(1)
Maria	32 812	(a)	(a)	(a)	34 986	(12)
Muria	23	(a)	(a)	(a)	1 761	(25)
Bhattra	97	(a)	(a)	(a)	410	(29)
Parja	(a)	(a)	(a)	(a)	34	(31)
Koya	(a)	(a)	(a)	(a)	1	(32)
Pardhan		83 654	14 382	91 692	155 813	(3)
Ojha	(a)	(a)	(a)	(a)	4 937	(23)
Gond Total	1 789 350	1 537 552	1 870 018	1 806,590	2,049 777	
Korku	126,682	125 365	149 537	135 357	167 897	(2)
Kawar	71 154	71 199	90,501	90 063	111 203	(4)
Halba	75,277	63 795	73 420	83 941	92 275	(5)
Kol	74 757	55,363	76 485	90 884	83 228	(6)
Andh	43 602	39 679	52,378	52,414	58,549	(8)
Biljhar	26 948	12 625	47 582	28,284	54 603	(9)
Bharua Bhumia	48,202	33 512	50 125	48,657	53,819	(10)
Koli	32 628	28 038	36 146	40,866	43 130	(11)
Baiga	21,336	23 471	27,274	25 078	32,003	(13)
Kofam	19 318	15 799	24 976	23 721	31 713	(14)
Bhili	27 888	28 416	27 621	24 855	30,303	(15)
Dhanwar	9,280	8,397	11 188	12,046	18 929	(16)
Sawara	31 768	25,531	56,913	55 703	67 116	(7)
Bhaina	12,413	7 454	14 522	11 523	16,447	(17)
Karnar	5 228	505	7 185		9 244	(18)
Majhwar			6 473	7 136	9,231	(19)
Bhunjia	6,187	3 013	6 913	6,376	7 689	(20)
Oran	1 151		4,328	176	6 950	(21)
Nagarchi*	6,326		6 148		6 299	(22)
Kharua					3 746	(24)
Bhujhar	504		1 811	660	1,250	(26)
Nagata			212	26	1 122	(27)
Saunta				642	703	(28)
Korwa	439	105	876	444	384	(30)

NOTE.—The fact that no total is shown against certain tribes in certain years merely indicates that they were not separately enumerated in those years or that it has not been possible to trace the figures.

(a) Included under Gond in the census concerned.

* Included under Gond in certain years.

TABLE III

Aboriginal Statistics, 1891—1931, Central Provinces and Berar (excluding States)
Total for province.

Tribe	1891	1901	1911	1921	1931	(In order of numerical im- portance 1931)
Gond	1 666 764	1 523 170	1 755 141	1 714 898	1 891 835	(1)
Maria	32 812	(a)	(a)	(a)	34 986	(12)
Maria	23	(a)	(a)	(a)	1 761	(25)
Bhattra	97	(a)	(a)	(a)	410	(29)
Parja	(a)	(a)	(a)	(a)	34	(31)
Koya	(a)	(a)	(a)	(a)	1	(32)
Pardhan		83 654	14 382	91 692	155 813	(3)
Ojha	(a)	(a)	(a)	(a)	4 937	(23)
Gond Total	1 783 350	1,537 552	1 870 018	1 806,590	2 049 777	
Korku	126 682	125 365	149 537	135 357	167 897	(2)
Kawar	71 154	71 199	90 501	90 063	111 203	(4)
Halba	75,277	63 795	73 420	83 941	92 275	(5)
Kol	74 757	55,363	76,485	90 884	83 228	(6)
Andh	43,602	39 679	52,378	52,414	58 549	(8)
Bijnhar	26,948	12,625	47,582	28,284	54 603	(9)
Bhania-Bhumia	48,202	33 512	50 125	48 657	53,819	(10)
Koli	32 628	28,038	36 146	40,866	43 130	(11)
Balga	21,336	23 471	27 274	25 078	32,003	(15)
Kolam	19 318	15 799	24 976	23 721	31 713	(14)
Bhil	27,888	28 416	27 621	24,855	30 303	(15)
Dhanwar	9 280	8,397	11 188	12,046	18 929	(16)
Sawara	31 768	25 531	56,913	55,703	67 116	(7)
Bhaina	12,413	7 454	14,522	11 523	16,447	(17)
Kamar	5 228	505	7 186		9,244	(18)
Majhar			6 473	7 136	9,231	(19)
Bhunjia	6,187	3 013	6,913	6,376	7 689	(20)
Oran	1 151		4 328	176	6 950	(21)
Nagarchi*	6,326		6,148		6 299	(22)
Kharla					3 746	(24)
Bhulbar	504		1 811	660	1,250	(26)
Nagala			212	26	1 122	(27)
Saunta				642	705	(28)
Korwa	439	105	876	444	384	(30)

NOTE.—The fact that no total is shown against certain tribes in certain years merely indicates that they were not separately enumerated in those years or that it has not been possible to trace the figures.

(a) Included under Gond in the census concerned.

* Included under Gond in certain years.

TABLE IV—cont
Aboriginal languages, 1931 Census—cont

Area	Gondi language			Subsidiary languages spoken by Gonds				Total Gond population	
	Number speaking Gondi as mother tongue			Hindustani		Marathi			
	Males	Females	Persons	Males	Females	Males	Females		
	(2)	(3)	(4)	(5)	(6)	(7)	(8)		
(1)									(9)
Nagpur Division—cont									
Chanda—									
Warora	2,670	2,472	5,142			2,633	2,466	16,403	
Brahmapuri	2,121	2,325	4,446			2,075	2,292	17,203	
Chanda	9,86	10,005	19,866	17	8	9,155	9,274	27,602	
Garchiroli khalsa	6,947	7,678	14,625	14	15	4,738	5,159	54,188	
Garchiroli zamindari	15,074	16,352	31,426	1,079	1,037	9,150	8,461		
Sironcha khalsa	3,190	2,972	6,162	89	86	26	25	36,005	
Ahiri zamindari	13,945	14,210	28,155	12	4	214	152		
Total Chanda	53,807	56,015	109,822	1,211	1,150	27,991	27,829	151,401	
Chhattisgarh Division									
Bhandara—									
Bhandara	6,073	6,412	12,485	97	79	5,124	5,469	16,709	
Gondia	16,708	13,894	30,602	835	693	12,581	8,693	34,047	
Sakoli khalsa	2,843	2,284	5,127	17	15	2,437	2,125	32,709	
Sakoli zamindari	5,313	6,551	11,864	40	80	4,646	5,475		
Total Bhandara	30,937	29,141	60,078	989	777	24,788	21,767	83,465	
Balaghat—									
Balaghat	9,981	10,752	20,733	7,864	8,344	125	157	22,391	
Bairbar khalsa	8,527	9,313	17,890	7,821	8,884			50,073	
Bairbar zamindari	796	744	1,540	617	622				
Waraseoni	16,683	17,859	34,542	9,691	8,831	899	922	35,858	
Total Balaghat	35,987	38,719	74,705	25,993	26,681	1,024	1,079	108,322	
Raipur	1,314	1,296	2,610	1,108	1,132	1		240,908	
Bilaspur	224	197	421	201	139			175,300	
Drug—									
District khalsa	924	965	1,889	859	818			116,477	
Sanjari zamindari	10,119	10,877	20,996	8,882	5,554				
Total Drug	11,043	11,842	22,885	9,741	6,372			116,477	
Berar Division									
Amraoti—									
Amraoti, Ellichpur and Daryapur	1,701	1,765	3,466	202	267	1,122	1,142	4,973	
Chandur	3,493	3,657	7,150	5	7	2,920	3,165	8,190	
Mora	3,434	3,426	6,860	21		2,889	2,940	7,844	
Melghat	1,384	1,473	2,857	821	1,114	190	146	3,203	
Total Amraoti	10,012	10,321	20,333	1,049	1,388	7,121	7,393	24,210	
Akola	836	649	1,485	6	13	647	493	4,071	
Buldana	141	142	283	37	30	61	69	396	
Yotmal—									
Darwaha and Pusad	3,061	2,374	5,435	26	29	2,536	1,928	9,142	
Yotmal	7,454	7,020	14,474	4	1	6,284	5,878	18,941	
Kelapur	14,210	14,713	28,913	92	115	10,600	12,623	39,792	
Wun	7,058	4,867	11,925	22	7	5,796	3,805	23,545	
Total Yotmal	31,783	28,964	60,747	144	152	25,216	24,234	91,420	
Total Province	461,855	484,847	946,702	222,350	233,670	153,355	130,661	2,058,182	

[Continued on the next page]

TABLE IV—cont.

Aboriginal languages, 1931 Census—cont.

Area	Korku language			Korkus speaking subsidiary languages			
	Number speaking Korku as mother-tongue			Hindustani		Marathi	
				Males	Females	Males	Females
	Males	Females	Persons				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Jubbulpore Division							
Hoshangabad—							
Hoshangabad District excluding Sohagpur and Narsinghpur Sub-division	6,018	5,602	11,620	4,765	4,391	..	..
Sohagpur	494	436	930	494	436		..
Total Hoshangabad	6,512	6,038	12,550	5,259	4,827	.	
Nimar—							
Khandwa	2,078	2,072	4,150	1,498	1,441		..
Burhanpur	9,892	10,102	19,994	4,107	2,425	.	
Harsud	10,847	11,019	21,866	8,565	8,457		
Total Nimar	22,817	23,193	46,010	14,170	12,323		.
Betul—							
Betul	6,383	6,443	12,826	4,926	4,916	..	
Multa	684	647	1,331	513	483	10	11
Bhainsdehi	11,467	11,955	23,422	7,882	8,194	9	2
Total Betul	18,534	19,045	37,579	13,321	13,593	19	13
Chhindwara—							
Chhindwara khalsa	4,190	4,278	8,468	2,956	3,155	.	.
Chhindwara jagir	3,605	3,472	7,077	2,697	2,507		
Amarwara							
Sausar	1,410	1,348	2,758	1,082	1,019	45	37
Total Chhindwara	9,205	9,098	18,303	6,735	6,681	45	37
Berar Division							
Amraoti—							
Melghat	16,561	16,233	32,794	8,869	7,712	61	19
Rest	1,310	1,296	2,606	383	361	532	588
Total Amraoti	17,871	17,529	35,400	9,252	8,073	593	607
Akola	737	682	1,419	200	140	126	68
Buldana	653	654	1,307	124	124	271	264
Rest of Central Provinces	163	107	270	160	82		
Provincial Total	76,492	76,346	152,838	49,221	45,843	1,054	969

TABLE V

*Comparison of aboriginal tenancy holdings, proprietary villages
Central Provinces, in the last two settlements and 1939 40*

District	Penultimate settlement			
	Total No all tenants	Area of holdings in 100 acres	No. of aboriginal tenants	Area held by abori- ginals in 100 acres
(1)	(2)	(3)	(4)	(5)
Saugor*	127 638	1 324 6	11 089	100 0
Jubbulpore	98 729	1 004 9	19 023	216 6
Mandla	40,264	684 0	23 424	479 1
Hoshangabad	102,354	1 311 1	12 441	125 7
Nimar	21 439	289 9	3 930	56.2
Betul	44 514	741 0	20 773	336 3
Chhindwara khalsa	85 448	1 278 9	30 933	514 9
Chhindwara jagir				
Wardha	22,178	540 1	1 968	46.2
Nagpur	62,457	1 188 4	3 426	59 7
Chanda	46 691	496 4	10 449	92 4
Bhandara†	47 035	512 3	6,306	76 3
Balaghat	46,226	406 5	7 429	72 1
Raipur‡	48 587	629 3	15 456	171 7
Bilaspur	190 979	1 390.5	37 894	341 1
Drug	84 665	1 161 2	13 958	281.2
Central Provinces	1 069 204	12,959 1	218,499	2 969 5

District	Last settlement			
	Total No all tenants	Area of holdings in 100 acres	No. of aboriginal tenants	Area held by abori- ginals in 100 acres
(1)	(6)	(7)	(8)	(9)
Saugor*	146 591	1,339 0	12,269	94 0
Jubbulpore	107 224	984.2	16 728	208.5
Mandla	54 496	795 5	27 263	569.3
Hoshangabad	119 418	1,384.3	11,550	119 9
Nimar	27 770	386 5	4 165	56 0
Betul	36 647	795.3	22 748	330 3
Chhindwara khalsa	112,394	1,663.3	39,217	559 1
Chhindwara jagir	13 607	258 0	9,862	204 5
Wardha	27 024	564 9	2,020	35 8
Nagpur	74 812	1 206.5	4 004	58 7
Chanda	80 849	883 1	17 587	195 8
Bhandara†	66,714	605 5	6,391	72.6
Balaghat	69 507	459 1	11 932	115 7
Raipur‡	64 612	775 0	18 853	281 1
Bilaspur	230 491	1 524 9	48,210	438 0
Drug	116 835	1 179.3	19,225	293 6
Central Provinces	1,348 991	14 404 4	272 024	3 631 9

[Continued on the next page.]

*Figures do not include Surkhi revenue inspector circle.

†Excluding Tirora and Sakoli revenue inspector circles.

‡Raipur includes only six patwari circles of Raipur Tehsil two revenue ins-
pector circles and 15 other patwari circles of Dhamtari and the whole of Mahasa
imrod Tehsil.

TABLE V—cont.

*Comparison of aboriginal tenancy holdings, proprietary villages
Central Provinces, in the last two settlements and 1939-40—cont*

District	1939-40			
	Total No, all tenants	Area of holdings in 100 acres	No. of aboriginal tenants	Area held by abori- ginals in 100 acres
(1)	(10)	(11)	(12)	(13)
Saugor*	173,982	1,439.9	13,339	85.5
Jubbulpore	122,941	599.7	20,105	217.4
Mandla	56,993	780.0	29,840	568.0
Hoshangabad	130,714	1,419.3	12,218	121.6
Nimar	36,931	409.6	4,752	51.4
Betul	57,428	817.2	23,644	316.8
Chhindwara khalsa	127,088	1,508.3	43,078	531.7
Chhindwara jagir	13,860	276.6	10,108	220.7
Wardha	37,712	556.9	2,312	28.7
Nagpur	94,774	1,203.7	4,509	53.6
Chanda	105,199	963.4	22,231	212.0
Bhandara†	86,571	600.0	7,904	77.4
Balaghat	84,108	481.1	14,249	92.1
Raipur‡	83,682	844.6	23,427	285.2
Bilaspur	265,258	1,558.7	54,248	441.7
Drug	146,053	1,266.0	24,921	313.8
Central Provinces	1,623,294	15,125.0	310,885	3,617.6

TABLE VI

*Comparison of aboriginal holdings in ryotwari villages, Central
Provinces, in the last two settlements and 1939-40*

District	Penultimate settlement			
	Total No, all ryots	Area, all holdings (100 acres)	No of aboriginal ryot	Area, all aboriginal holdings (100 acres)
(1)	(2)	(3)	(4)	(5)
Mandla	12,992	228.7	9,669	182.9
Hoshangabad	294	7.0	109	2.1
Nimar	7,557	208.2	2,119	56.6
Betul	1,799	43.4	1,462	55.1
Chhindwara	2,791	66.2	1,061	58.5
Chanda	3,737	59.9	806	10.0
Bhandara	98	8	60	1
Balaghat	38	5	14	—
Total	29,306	611.7	15,900	326.1

[Continued on the next page]

*Figures do not include Sukhi revenue inspector circle

†Excluding Tirora and Sakoli revenue inspector circles

‡Raipur includes only six patwari circles of Raipur Tahsil, two revenue inspector circles and 15 other patwari circles of Dhamari and the circle of Mund Tahsil

TABLE VI—cont

Comparison of aboriginal holdings in ryotwari villages, Central Provinces, in the last two settlements and 1939-40—cont

District	Last settlement			
	Total No. all ryots	Area all holdings (100 acres)	No of aboriginal ryots	Area, all aboriginal holdings (100 acres)
(1)	(6)	(7)	(8)	(9)
Mandla	15 620	302 6	11 926	244 5
Hoshangabad	837	20 4	544	11 9
Nimar	11 737	286 6	3 463	83 4
Betul	3 053	61 2	2 561	51 1
Chhindwara	4 738	109 0	3 269	74 6
Chanda	8 615	117 7	1,549	22,2
Bhandara	178	1 9	71	7
Balaghat	4 897	95 5	2 547	55 1
Total	49 665	994 9	25 936	543,5

District	1939-40 Jamabandi				
	Total No. all ryots	Area, all holdings (100 acres)	No of aboriginal ryots	Area all aboriginal holdings (100 acres)	No. of villages
(1)	(10)	(11)	(12)	(13)	(14)
Mandla	18 586	296 1	13 770	242 5	569
Hoshangabad	903	22 1	574	13 6	31
Nimar	14 138	387 7	4 973	111 0	306
Betul	3 478	65 6	2 924	55 4	69
Chhindwara	4 921	108 9	3 398	76 0	267
Chanda	11,369	151,3	2 448	32,2	376
Bhandara	96	3 3	151	1 6	13
Balaghat	6 793	115 9	4,332	71 0	238
Total	60 484	1 150 9	32 370	603,3	1 869

TABLE VIII

Areas where aboriginals have gained land (malguzari and zamindari villages only)

District and area	Penultimate settlement		1939-40	
	Number of aboriginal tenants	Area held by them in 100 acres	Number of aboriginal tenants	Area held by them in 100 acres
Saugor Banda and Khurai tahsils	663	3.9	1,343	6.8
Jubbulpore—				
Bargi revenue inspector circle (Jubbulpore tahsil)	1,263	18.4	1,567	18.7
Kundam revenue inspector circle (Jubbulpore tahsil)	2,985	60.6	3,155	80.0
Mandla district except Nainpur revenue inspector circle	20,161	423.4	26,033	515.4
Hoshangabad—				
Rahatgaon revenue inspector circle of Harda	555	4.5	512	5.4
Narsinghpur tahsil except Kerani revenue inspector circle	1,994	30.7	2,289	33.9
Nimar—				
Singot circle of Khandwa tahsil all Barhanpur tahsils except Shahpur circle the Pithia circle of Harsud tahsil	1,606	24.3	2,162	28.1
Jubbulpore Division	29,207	565.8	37,061	688.3
Betul—				
Shahpur circle of Betul tahsil and Nanda circle of Bhainsdehi tahsil	6,269	92.2	7,578	107.9
Chhindwara khalsa—				
Lakhsadon tahsil Parasra, Bhatodia and Amarwara circles	17,471	235.8	19,824	282.4
Chhindwara jagas	9,862*	204.5*	10,108	220.7
Nagpur district, Ramtek tahsil	1,382	17.4	2,027	21.8
Chanda Khalsa all except Sironcha malguzari	4,446	33.9	9,553	91.8
Chanda zamindaris the whole	5,201	54.6	12,009	116.4
Nagpur Division	39,631	638.4	61,099	841.0
Bhindara—				
Sakoli, 213½ khalsa and 193½ zamindari villages	7,507	30.3	3,625	39.5
Balaghat—				
Baibhar tahsil and Balaghat tahsil less Lanji circle and the zamindaris	2,767	34.0	7,631	57.5
Raipur—				
†Two revenue inspector circles and 15 other patwari circles of Dhamtari tahsil	9,956	54.6	6,413	54.3
Mahasamund zamindaris except Fingeshwar Bilepur—	8,594	146.8	12,938	195.4
Janyar and Katghora malguzari	3,933	23.4	4,893	24.5
Matin, Uprora Lafa, Chhuri and Pandaria zamindaris	10,216‡	107.5‡	12,450	117.9
Drug—				
Drug tahsil zamindari	150	2.7	538	4.1
Bemetara tahsil, zamindari	924	15.8	1,682	25.5
Sanjari Balod tahsil zamindari except Khulji	4,588	98.7	8,825	152.6
Chhattargarh Division	37,635	513.8	58,995	671.3
Central Provinces	106,164	1,716.6	156,494	2,197.8

NOTE.—There has been since the last settlement a fall of 8,652 acres in aboriginal holdings though total holdings have risen by about 3,800 acres.

*Last settlement.

†Patwari circles nos. 33, 36, 37, 41, 42 and 66-75.

‡Figures for the last settlement.

APPENDICES

APPENDIX A

[See paragraph 147 of the Report]

(a) *Draft notification under section 1 (2), Land Alienation Act.*—In exercise of the powers conferred by sub-section (2) of section 1 of the Central Provinces Land Alienation Act, 1916 (II of 1916), the Provincial Government is pleased to extend the provisions of the said Act to all those areas of the Central Provinces to which it has not been extended by previous notifications

(b) *Draft notification under section 3, Land Alienation Act* — In exercise of the powers conferred by section 3 of the Central Provinces Land Alienation Act, and in supersession of all previous notifications under the said section, the Provincial Government is pleased to declare that all persons belonging to the following tribes who either hold land or ordinarily reside in the Central Provinces shall be deemed to be aboriginal tribes in the Central Provinces for the purposes of the Act —

Agaria, Arakh, Baiga, Binjhar, Bharia-Bhumia (including Bharia and Bhumia), Bhil, Bhilala, Bhuinhar, Bhunjia, Binwar, Dhanwar, Gond (including Raj-Gond, Khatola or Khatolha, Bhoi-Gond, Maria, Muria, Bhattra, Parja, Koya, Bhuta, Koilabhuta and Bhimma), Halba, Kalanga, Kamar, Kanwar *alias* Kavar *alias* Kaur (including Thanwar *alias* Taswar *alias* Tawar and Tanwar-Kshattri), Kharia, Kol, Kolam, Koli, Korku (including Muasi), Korwa, Majhwar, Manne *alias* Mannewar, Nagarchi, Nagasia, Nahal or Nihal, Naikar, Ojha (including Moghya), Oraon, Pardhan (including Raj-Pardhan, Pathari, Rajnegi and Thothia), Saunta, and Sawara *alias* Savar *alias* Saonra

A separate notification will be necessary for notifying Dhoba and Panka in Mandla District and Pabia *alias* Pab in Bilaspur District. Special notifications may also be necessary directing that these notifications shall have the same effect in the Partially Excluded Areas as in the rest of the province

APPENDIX B

[See paragraph 147 of the Report]

(a) *Draft notification under section 1 (2), Land Alienation Act*—In exercise of the powers conferred by sub-section (2) of section 1 of the Central Provinces Land Alienation Act, 1916 (II of 1916), the Provincial Government is pleased to extend the provisions of the said Act to the following areas —

Nagpur Division

Nagpur District—The Katol tahsil

Wardha District—The Wardha and Hinganghat tahsils

Chanda District—The Chanda and Warora tahsils and the khalsa portion of the Sironcha tahsil

Jubbulpore Division

Saugor District—The Saugor tahsil

Chhattisgarh Division

Raipur District—The whole district

Bilaspur District—The whole district

Drug District—The whole district

Balaghat District—The Waraseoni tahsil

Bhandara District—The Bhandara tahsil

(b) *Draft notification under section 3 Land Alienation Act*—
In exercise of the powers conferred by section 3 of the Central Provinces Land Alienation Act 1916 (II of 1916) and in supersession of all previous notifications under the said section the Provincial Government is pleased to declare that all persons belonging to the following tribes who either hold land or ordinarily reside in the areas mentioned against each shall be deemed to be aboriginal tribes for the purposes of the Act —

Tribe and Areas

- (1) Baiga—Jubbulpore and Mandla Districts the Bemetara tahsil of Drug District and the Baihar and Balaghat tahsils of Balaghat District
- (2) Binjhar—Bhandara Balaghat Raipur and Bilaspur Districts
- (3) Bhaina—Bilaspur District
- (4) Bharia Bhumia, including Bharia and Bhumia—Jubbulpore Mandla and Bilaspur Districts and the Amarwara tahsil of Chhindwara District
- (5) Bhil and Bhilala—Nimar District.
- (6) Dhanwar—Bilaspur District and the Baloda Bazar tahsil of Raipur District
- (7) Dhoba—Mandla District
- (8) Gond including Raj Gond Khatola or Khatulha Bhoi Gond Maria Muria and Koya—All the areas in the province to which the Act has been or may hereafter be applied by notification under section 1 sub-section (2)
- (9) Halba—Drug and Raipur Districts and the Garchiroli and Sironcha tahsils of Chanda District the Sakoli and Gondia tahsils of Bhandara District
- (10) Kamar—The Mahasamund and Dhamtari tahsils of Raipur District
- (11) Kanwar Kaur or Kaur, including Thanwar or Tawar—Bilaspur Drug and Raipur Districts and the Garchiroli tahsil of Chanda District
- (12) Kol—The Sihora and Murwara tahsils of Jubbulpore District and Mandla and Bilaspur Districts
- (13) Korku including Mursi—Betul Nimar Chhindwara and Hoshangabad Districts
- (14) Majhar—The Janjgir and Katghora tahsils of Bilaspur District
- (15) Nagarchi—The Balaghat tahsil of Balaghat District

- (16) Nihal or Nahal—Betul, Nimar, Chhindwara and Hoshangabad Districts
- (17) Oraon—The Mahasamund tahsil of Raipur District and the Bilaspur, Janjgir and Katghora tahsils of Bilaspur District
- (18) Pab or Pabia—The Bilaspur District
- (19) Panka—Mandla District
- (20) Pardhan, including Pathari, Rajnagi, Thothia and Raj-Pardhan—All the areas in the province to which the Act has been or may hereafter be applied by notification under section 1, sub-section (2).
- (21) Sawara, Savar or Saonra—Saugor District, the Mahasamund and Baloda Bazar tahsils of Raipur District and the Janjgir tahsil of Bilaspur District

APPENDIX C

[S.e paragraph 186]

Amraoti District Order on the allotment of land in the Melghat taluq

It has been brought to my notice by the Sub-divisional Officer, Ellichpur, that the allotment of land in the Melghat taluq has not been made in the past on sound lines, which has resulted in the development of the taluq being prejudiced and has added to the tendency for land to go out of cultivation. The main principles which should govern the allotment of land in the Melghat are laid down in paragraph 11 of the introduction to the Melghat Manual. These principles are as follows, and should invariably be followed in all cases of allotment of land —

- (1) Land should not be allotted except on the condition of residence in the village or some neighbouring village situated in the Melghat. Where the applicant resides in a neighbouring village, it should be sufficiently near, so as to enable him to cultivate the land personally. If permission is given too readily to persons residing in villages at some distance from the land in question, it will result in occupants leasing out their land from year to year, so that the provisions with regard to restricted tenure are circumvented by advantage being taken of condition (1) of form B at page 38 of the Melghat Manual.
- (2) If there is more than one applicant, preference should always be given to an aboriginal. The Sub-divisional Officer, Ellichpur, tells me that cases have come to his notice where a non-aboriginal has been permitted to bid in auctions side by side with an aboriginal. See in this connection rule 4 of Chapter I and rule 4 of Chapter II of the Melghat Manual. This principle applies both in respect of land which has not yet been brought under the plough, and land which has been declared H class owing to the ejectment of the previous tenant or its surrender by

him. In all cases of allotment therefore the claims of aboriginals should under the existing law be given preference.

- (3) No land should be allotted except to *bona fide* agriculturists amongst whom members of the following classes should not be included Marwaris Banias Kalars and Brahmins. This list however is not exhaustive but suggestive. The Sub-divisional Officer Ellichpur the Tahsildar, Dharni and the Naib-Tahsildar Chikalda can refuse to allow members of other castes to bid at the auctions if they consider that they are not *bona fide* agriculturists. It is noticeable that Bohras have acquired considerable areas of land round Dharni and there appears to be no reason why they should be classed as *bona fide* agriculturists.

- (4) The trees situated on the land should not be auctioned as in other taluqs in Berar.

2 If it is considered necessary to depart from any of the principles outlined above, the special circumstances of the case should be brought specially to the notice of the Sub-divisional Officer Ellichpur who must then decide the case on its merits. It must be remembered that the reason why it is sought to exclude non-aboriginals from settling in the Melghat is that it is found from experience that they are apt to take undue advantage of the lower standard and level of intelligence of the aboriginals.

3 It appears that proper advantage is also not being taken of the provisions of rule 5 of Chapter II of the Melghat Manual. The result of this is that aboriginals are gradually being expropriated from the land. The Sub-divisional Officer Ellichpur is authorised under this rule to allow auction premium to be paid in instalments and full advantage should be taken of this in order to encourage aboriginals to take to cultivation of the land. Care must be taken not to consider the question from a narrow financial aspect but to keep in sight the compensating advantage which will accrue if development of the Melghat can proceed on sound lines.

4 Recently a considerable area of land in the Dharni tract of the Melghat has gone out of cultivation owing to occupants failing to cultivate it. In several cases it has been necessary to remit the arrears of land revenue. In such cases if an ejected occupant is prepared to pay one third of the land revenue remitted and undertakes to pay the balance in two equal annual instalments the Tahsildar Dharni or Naib Tahsildar Chikalda should submit the case to the Sub-divisional Officer who can if he considers fit obtain my orders to review the order of ejection. Such recommendations shall of course only be made provided the ejected occupant agrees to cultivate his land properly.

5 The Sub-divisional Officer Ellichpur has also brought to my notice that there have been several cases in which permission to transfer land has been granted too readily. In most of these cases the transfers have been permitted for satisfaction of

debts. Such permission is likely to result in the system of restricted tenure being disregarded. All applications for transfer of land should therefore be carefully scrutinized and permission only granted after the most careful consideration has been given to the circumstances of the case. Broadly speaking, there is no harm in granting permission in cases in which the land does not, on transfer, pass out of the occupant's family, or when the land after transfer is likely to be better cultivated than formerly. The revenue inspectors, Dharni and Chikalda, should be specially directed to keep a careful watch over unauthorised cases of transfer and to report where necessary.

6 Attention is also drawn to rule 1 of Chapter II of the Melghat Manual, which authorises the Deputy Commissioner not to sell a holding in certain circumstances such as the badness of the season, absence of demand, etc. This rule implies that in these circumstances the Deputy Commissioner can, if he thinks fit, allot the land without auction. The Sub-divisional Officer, Ellichpur, should, therefore, report for the orders of the Deputy Commissioner cases in which he considers that the provisions of this rule should be taken advantage of in the interests of the aboriginals.

APPENDIX D

[See paragraph 227]

Extract of paragraphs 24 to 28 of the "Report on the Aboriginal and Hill Tribes of the Partially Excluded Areas in the Province of Bombay" by Mr. D. Symington, I.C.S. (Bombay, 1939)

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"24 I consider it necessary to adopt special measures to regulate the moneylending profession in the partially excluded areas, and I must strongly emphasize that if these measures are to have any hope of success it is essential for them to be of such a drastic and sweeping nature that evasion will be impossible. The Deccan Agriculturists' Relief Act is a shining example of the results of legislation which leaves loopholes for evasion. It has resulted in an exacerbation of the relations between cultivators and moneylenders, and in a general resort to fraudulent translations, and it is doubtful whether the cultivator is the better off as a result of it. The proposals which I make in respect of sowcars for the partially excluded areas will have the effect of putting many of them out of business, and of making it more difficult for these Bhil to obtain loans from the remainder. Proposals also therefore appear later on for making provision for necessary finance by another agency. I am aware that these proposals may arouse great controversy, and considerable opposition both overt and covert from interested quarters is to be expected, but I am convinced that no economic improvement in these areas can be hoped for until the present system of agricultural credit—if the continuous universal and forcible exploitation of an ignorant and backward population can be glorified by such a name—is cast out root and branch. The rural moneylender may have a case—he certainly has influential champions—in other places, and in other times, but in these areas at the present

day he has none. All that can be said is that since the Government have hitherto not made any other adequate arrangements for financing the Bhil cultivator such a system was found to arise. A High Court Judge is I believe responsible for the simile between the moneylender and a dog's internal parasite. It is of no use he has pointed out just to feed up an animal so afflicted by doing so you merely nourish the parasite. *The parasite must first be expelled.* The comparison is apt to the case in point. If we were to content ourselves with devising arrangements if such were possible for putting more money in the Bhil's pocket we should merely be benefiting the sowcar and the Bhil would remain as poor as ever. The sowcar or rather the unjust sowcar must first be expelled. Needless to say hand in hand with this must come other arrangements for providing the Bhil with the credit facilities which he requires and these are dealt with later on.

25 Before detailing my suggestions in regard to sowcars I must refer to the report of the Bombay Provincial Banking Enquiry Committee. That report perhaps embodies the last word that at present can be said on many aspects of rural indebtedness but not in my opinion in respect of the aboriginal tracts. The reason for this I presume must be that the Committee did not envisage the necessity or possibility of specialised Government action in these tracts and apparently thought the sowcar to be a permanent and not altogether sinister phenomenon of nature. In paragraph 97 the Committee describes in brief the present system of loans and recoveries but does not go on to describe the paralysing and mortifying effect which this system has on the thousands of Bhil agriculturists concerned and on the general state of agriculture in these talukas. The sentences—The Bhil is generally a habitual drunkard and cannot trust himself with more cash which he would be sure to spend away on drink. The sowcar is thus a very handy institution to advance the necessary sums and also to take charge of the surplus—seem to propound a new theory in ethics which if correct could be carried to most interesting lengths. If for instance the sowcar is a very handy institution for keeping the Bhil short of cash to spend on drink the dacoit who robs the sowcar and removes the wherewithal to corrupt the subordinate officials of Government presumably is a still more handy institution if not a positive emissary from Heaven!

The Committee does not appear to have been placed completely *au fait* with other aspects of the problem of indebtedness among aboriginals. For example it includes Nandurbar, Nawanur, Dohad and Jhalod in the aboriginal tract but it omits Taloda, the Mewas estates and Akran. The latter petha which I shall mention later affords an interesting study since there agricultural indebtedness is non-existent. In Taloda and the Mewas estates on the other hand it is all pervading. Again the Committee says (page 44) The debt multiple (of assessment) for the aboriginal tract is fairly high. Our inquiries showed that this multiple was much higher in the case of villages where the old tenure was prevalent. In villages where the land was held on the restricted tenure indebtedness was naturally

much less' The Committee was not apparently apprised of the fact that the amount of land held by Bhils on old tenure is completely negligible, and its statistics must have been unduly weighed by figures relating to non-Bhil villages in the Nandurbar taluka. The fact is that practically all Bhil landholders hold on restricted tenure, and in spite of that their indebtedness is terribly heavy. I attribute this to the facts that the sowcar knows that, by methods fair or foul, he can count on almost as good a return from the debtor's fields as if he were himself the owner, and that the sowcar can manipulate his accounts more flagrantly here than elsewhere in the Presidency.

"26 The Committee, while advocating a Regulation of Accounts Act and a new enactment to replace the Deccan Agriculturists' Relief Act, was opposed to a Moneylenders' Act (paragraph 242). The reason for this was that it feared that such an Act would be evaded and that it would, like the Deccan Agriculturists' Relief Act, make the position of the borrower worse. These considerations have not prevailed, since Government are now enacting a Moneylenders' Bill. In any case, it is my opinion that in small homogeneous areas, such as those now under consideration, special measures to regulate the business and put a stop to abuses could be adopted with great success.

"27 I do not however consider the present Moneylenders' Bill will by itself be effective in remedying matters in the partially excluded areas. A special regulation is necessary, and I recommend that it be adopted, to secure the following effects —

- (1) A special license should be prescribed for moneylending transactions, direct, with members of the Backward Classes in the partially excluded areas. Even Backward Class members must take out such licenses; otherwise they will be employed as the tools of sowcars. It should be made a penal offence, punishable with imprisonment, as well as fine, to lend money or goods on interest to members of the Backward Classes in these areas except with a license. To forestall evasion, the definition of the offence should be made to include transactions in which the borrower gives a receipt or a promissory note for an amount greater than that which he actually receives.

Illegal transactions will of course be non-enforceable at law.

- (2) These special licenses, which should be additional to the ordinary licenses prescribed in the Moneylenders' Bill, should be issued by the District Magistrate after satisfying himself as to the good character and financial stability of the grantee. The latter is necessary since men of straw are more liable to be tempted into malpractices.

Licenses should be liable to forfeiture for breach of the regulations.

- (3) Rules should be made prescribing such matters as—
 - (a) The form in which the accounts should be kept (these might well be printed account-books issued from taluka offices on payment, with each page numbered and sealed),

- (b) the maintenance of borrowers' pass books and the compulsory periodical issue of statements of account to borrowers
- (c) who may be employed as servants, touts and bullies such as Pathans should thus be eliminated and *nokarnamas* issued as in the Excise Department and
- (d) penalties for non-compliance e.g., disqualifications from suing when the prescribed procedure has not been followed

I abstain from details under this head since this is a matter for legal and accountancy experts. They are also covered to a certain extent by the Money lenders Bill.

- (4) Recoveries both of old and new debts from members of the Backward Classes in any other form *except in cash* should be prohibited and penalised. This is essential otherwise the Bhil will as now always be cheated over his produce the whole of which will continue to be taken from him together with all the profits of his cultivation. Both for his protection and his education the Bhil must be made to sell his produce either in the open market or through the purchase and sale societies which are proposed later on and to repay his debts *in cash*.

The degrading system of pledging a certain number of years service in return for a cash loan will also be prohibited under this regulation.

Moneylenders must further be prohibited from simultaneously carrying on business as dealers in agricultural produce and from making loans to Bhils on condition that their crops are sold to or through any particular person and deterrent penalties should be provided.

- (5) Exemption from attachment in execution of a civil court's decree should be extended in the case of a member of the aboriginal and hill tribes to so much of his produce as is necessary to maintain himself and his family and to provide seeds until the next harvest. Legal provision already exists for this in section 61 of the Code of Civil Procedure which has not however been brought into force in the Presidency.

A scale of exemptions for the above purposes should be prescribed, based on the size and nature of holdings and the number of dependants.

28 If the above proposals are examined closely it will be seen that although they are of a drastic nature they can do no harm to any sowcar who is strictly fair and honest in all his dealings. It is however much to be hoped that the other kinds of sowcar will be thereby put out of business.

APPENDIX E

[See paragraph 235]

Extracts of paragraphs 215 and 217 of the "Report on the Aboriginal and Hill Tribes of the Partially Excluded Areas in the Province of Bombay" by Mr. D. Symington, I C S.

* * *
 "215 Proceedings for the conciliation or composition of debts involve an enormous amount of work, and I have carefully considered whether it would be possible to do without them

If my other proposals regarding moneylenders take effect in substance, the sowcar will be prevented from employing bullies to make recoveries and from making recoveries in kind, moreover the cultivator's crop will be largely exempted from attachment in execution of a court's decree. It might therefore be said that the composition of old debts would be unnecessary and that the sowcar may be allowed to have recourse to any legal methods left to him in order to recover past dues. I am afraid however that this would be a dangerous course; first, because the sowcar would hardly be likely to limit himself to legal methods, and secondly because many present sowcars would be likely to wish to leave the profession and, without engaging in new transactions or taking out a license, to collect their outstanding debts or to assign them to others. Some measures are necessary to protect the aboriginal from harassment by such persons, and at the same time to secure for the latter a just recognition of their dues. It therefore appears to be unavoidable to have recourse to methods of debt composition

* * *
 "217 I propose debt composition, to be effected by regulation, on the following lines—

- (1) A period should be fixed within which all claims against members of the Backward Classes in the partially excluded areas should be lodged with a prescribed authority, together with the necessary particulars. No claim which is not so lodged should be enforceable at law subsequently
- (2) A moratorium in respect of the principal and arrears of interest—not current interest for the year—should be enforced pending the Court's decision on each case
- (3) A touring Debt Composition Court should be appointed in each taluka or petha. In these areas I do not recommend non-official conciliation boards, since there is no public opinion strong enough to keep them in check, and insufficient disinterested and educated members of the public to provide the personnel. I suggest that the Courts consist of selected sub-judges functioning so far as possible as regular civil courts
- (4) One or more Government pleaders should be appointed at the public cost for each Court to represent the debtors. These should receive assistance from local

officials in the collection of material. No case should be decided *ex parte* except in very exceptional circumstances

- (5) The Court should be empowered and instructed to use its discretion regarding the admissibility of oral evidence. In particular it should be advised that a document executed by an illiterate aboriginal should not be regarded *per se* as more reliable than oral evidence of the same transaction
- (6) The Court should be given instructions regarding permissible rates of interest and kindred matters
- (7) The Court should make—
 - (a) an award of the sum due according to the above instructions and
 - (b) an order for payment
- (8) Before making an order for payment the Court must take into consideration particulars—to be supplied by the local revenue or forest officers—of the debtor's property income and the number of his dependants
- (9) Unless the debtor happens already to have sufficient movable property—which will be very unusual—the Court will decree the payment of the sum finally awarded in equated annual instalments subject to the following restrictions—
 - (a) Each instalment must leave the debtor sufficient produce for seeds and for maintenance according to the scale proposed in paragraph 27 (5) and
 - (b) the instalments should be limited to a period of years say twenty. All instalments should cease with the death of the debtor

These restrictions will result in the non-satisfaction of many awards of sums due. This however will be merely a recognition of the fact that many—perhaps the majority—of these aboriginal debtors *are in fact* insolvent. The sowcar can at present afford to finance them because he can and does keep them on or slightly below a starvation level of existence and because he can and does by methods of intimidation or violence force their heirs and relations to take over their debts after death has rescued them from his clutches. In districts where the insolvency chapter of the Deccan Agriculturists Relief Act applies an easy means of escape is provided for the agricultural insolvent so the principle of the argument which I am advancing has already once been accepted by the legislature. This procedure however is never used by agricultural debtors largely because they cannot afford to antagonize the race of sowcars but partly because of their fundamental honesty—for the average peasant has no desire to get out of his obligations and this is particularly true of the Bhils and other jungle tribes. But when composition proceedings are in train in respect of these backward tribes I consider that it is incumbent on us to recognize that large numbers of them whether they plead it or not or even if they deny it are actually insolvent. In such circumstances they must not be worse treated than the petitioner in

bankruptcy, and their liabilities should be strictly scaled down to their capacity for payment. If this is done the sowcar's case calls for little sympathy, since he must have lent money expecting to be able to repay himself by oppressive or illegal methods. In many cases he will be found to have repaid himself already.

- (10) Instalments of debt due awarded by the Court should be recovered by the revenue authorities in the same way as a society advance [see paragraph 34 (f)]. This will secure the creditor's just receipts, and at the same time make it unnecessary for the debtor to have any further direct dealings with him whatsoever."

APPENDIX F

*Copy of section 6 of the Mamlatdars' Courts Act, 1906
(Bombay Code, Volume IV, Fifth Edition, 1938).*

"6 (1) Every Mamlatdar shall preside over a Court, which shall be called a Mamlatdar's Court, and which shall, subject to the provisions of sections 6 and 26, have power, within such territorial limits as may from time to time be fixed by the Provincial Government, to give immediate possession of any lands or premises used for agriculture or grazing, or trees, or crops, or fisheries, or to restore the use of water from any well, tank, canal or water-course, whether natural or artificial, used for agricultural purposes to any person who has been dispossessed or deprived thereof otherwise than by due course of law, or who has become entitled to the possession or restoration thereof by reason of the determination of any tenancy or other right of any other person, not being a person who has been a former owner or part-owner within a period of twelve years before the institution of the suit of the property or use claimed, or who is the legal representative of such former owner or part-owner."

Provided that, if in any case the Mamlatdar considers it inequitable or unduly harsh to give possession of any such property or to restore any such use to a person who has become entitled thereto merely by reason of the determination of any such tenancy or other right, or if it appears to him that such case can be more suitably dealt with by a Civil Court, he may in his discretion refuse to exercise the power aforesaid, but shall record in writing his reasons for such refusal.

(2) The said Court shall also, subject to the same provisions, have power within the said limits, when any person is otherwise than by due course of law disturbed or obstructed, or when an attempt has been made so to disturb or obstruct any person, in the possession of any lands or premises used for agriculture or grazing, or trees, or crops, or fisheries, or in the use of water from any well, tank, canal or water-course, whether natural or artificial, used for agricultural purposes, or in the use of roads or customary ways thereto, to issue an injunction to the person causing, or who has attempted to cause, such disturbance or obstruction, requiring him to refrain from causing or attempting to cause any further such disturbance or obstruction.

(3) No suit shall be entertained by a Mamlatdar's Court unless it is brought within six months from the date on which the cause of action arose

(4) The cause of action shall be deemed to have arisen on the date on which the dispossession deprivation or determination or tenancy or other right occurred or on which the disturbance or obstruction or the attempted disturbance or obstruction, first commenced

Explanation.—The exercise by a joint owner of any right which he has over the joint property is not a dispossession or disturbance of possession of the other joint owner or owners within the meaning of this section

Illustration I

1 lets B his field to cultivate for a specific period of one or more years B refuses to resign possession after the expiration of that period A can sue for possession in the Mamlatdar's Court at any time within 6 months from the date of the expiration of the said period unless B is a person who has been a former owner or part-owner within a period of twelve years before the institution of the suit of the property or who is the legal representative of such former owner or part-owner

Illustration II

B is a yearly tenant of A who gives him a notice to vacate, as he is bound to do under section 84 of the Bombay Land Revenue Code 1879 at least three months before the end of the then current year of tenancy At the commencement of the next year B refuses to vacate A can sue B in the Mamlatdar's Court at any time within six months from the commencement of that year unless B is a person who has been a former owner or part-owner within a period of twelve years before the institution of the suit of the property or who is the legal representative of such former owner or part-owner

Illustration III

A allows B the use of water from his well or from his water-course for a specific period at the expiration of which B continues to take water from the well or water-course without A's consent A may sue B in the Mamlatdar's Court at any time within six months from the expiration of the said period to obtain an injunction to stop B from taking the water unless B is a person who has been a former owner or part-owner within a period of twelve years before the institution of the suit of the use of the water or who is the legal representative of such from so doing

Illustration IV

A and B hold lands adjacent to a पाट or फंस or similar artificial water-course which has hitherto been exclusively used by B A draws water therefrom B may sue in the Mamlatdar's Court at any time within six months from the date on which A commences to take the water for an injunction to prevent A from so doing

APPENDIX G

[See paragraph 249]

QUESTIONNAIRE NO 3.

[Terms of Reference (e)]

1 (a) What is the system of engaging farm-servants, particularly aboriginals, in your village/locality?

(b) Are aboriginal farm-servants engaged on monthly or yearly remuneration?

(c) Please state the total value of such remuneration in the following form :—

(1)	Cash (2)	Grain		Other perquisites		Total value in money (7)
		Quantity (3)	Value (4)	Descrip- tion (5)	Value (6)	
(i) A full grown man						
(ii) A boy						
(iii) A woman servant						

2 (a) Please state whether the contract for farm-service entered into with an aboriginal is oral or documentary?

(b) If documentary, is any consideration for service mentioned therein by way of the payment of an advance or the adjustment of old debt?

(c) What is the usual rate of interest, if any, on such advance or old debt?

3 (a) Does the bond contain any provision for allowing holidays on days of important festivals or for periods of illness?

(b) Is such absence penalized? If so, how?

4 What is the local name for this bond, e g, *Naukaripatra* or *Barsi-chhithi*?

5 (a) How is the bond for service enforced in case of default?

(b) Is a civil suit filed or a panchayat convened to enforce the bond?

6 (a) Is it a fact that interest charges on loans usually advanced to an aboriginal on the occasion of a marriage in his family or any other festival or payment of fine to his caste or a Court are usually discharged by the debtor by entering into a *barsi* contract for service personally or for service by a member of his family?

(b) What is the usual rate of interest on such loans?

(c) How many years does it usually take to repay the principal of a loan of Rs 100?

7 Are there cases known where the same family has continued to be the farm servants of the same employing family for generations?

8 (a) In the villages selected for investigation of aboriginal farm service, please state the five longest terms for which aboriginals have been in the continuous service of the employer's family the debts originally incurred by way of advance or otherwise the subsequent repayments or additional advances and the present state of the account maintained against the servants by their employers

(b) State whether their wives and children (adult or other wise) and any relatives are also labourers for the same employer and on what terms

(c) Estimate the ages at which these aboriginals started farm service and their present ages

(d) Have they or their parents or brothers any tenancy lands?

(e) Had they tenancy lands before becoming farm servants? If so how did they lose them and do they still cultivate these lands now as farm servants of their employers?

(f) Can any of them read and write?

9 How do the wages of such servants compare with the daily wages of unattached agricultural labourers or labour in the nearest mines or seasonal or other factories? How far has the presence of such alternative sources of employment raised the wages of farm labourers or enabled a man to escape from the service of a bad employer?

10 (a) As a result of your investigation do you consider that the system of employment of aboriginals and members of menial castes as farm servants—whether the labourer be known as the *barsalia* the *barsia* the *barsudia* the *kamia* the *kabari* the *saonjia* the *pourhar* the *mahtunkia* the *parkhya* or by any other name the system as the *barsi* or *saonja* or *kamauti* or by any other name and the service-agreement as *naukaripatra* or *naukarnama* or by any other name—is a form of bond slavery or serfage? If so give reasons

(b) If the system were totally stopped how would this react on the economic life of the aboriginal and of the village as a whole?

(c) What are the chief evils of the present system and how would you remedy them?

(d) Should section 2 (g) of the Central Provinces Money lenders Act be repealed so as to bring advances to aboriginal (and other) agricultural labourers within the scope of that Act and provide for annual statements of account?

(e) Should the law provide that annual accounts of each labourer under the *barsi* or similar system should be made up by the employer creditor in the presence of the debtor and two attesting witnesses?

(f) Should legislation altogether prohibit bonds for the service of aboriginal and other farm labourers or should it endeavour to regulate this by fixing a maximum advance and a presumed minimum wage divided into an actual wage in cash or kind and a monthly credit towards the advance taken?

(g) Should the law fix a maximum period of service on the expiry of which the advance and any further advance taken during the said period should automatically be discharged, and would you consider three years a suitable period?

(h) Should labourers be able to get a summary remedy against service-bonds that are illegal, unconscionable or contrary to public policy from the nearest Revenue Court and not through the expensive process of a civil suit, and should Revenue Officers be empowered to act *suo motu*?

11 (a) Have all Magistrates in your district copies of the Children (Pledging of Labour) Act, 1933 (Central Act II of 1933)?

(b) State the number of prosecutions under this Act in your district since it came into force on July 1st, 1933.

(c) Do parents or guardians in your district ever make agreements to pledge the labour of a child under the age of 15 years in return for any payment received or to be received by the said parents or guardians?

(d) How can the penal clauses of the Act be effective when offences against them are non-cognizable?

(e) Is the existence of the Act known to aboriginal labourers and their employers?

APPENDIX H

[Sec paragraph 273]

The Madras Agency Debt Bondage Abolition Regulation, 1940 (Madras Regulation No III of 1940).

*Fort St George, June 27, 1940.
(G O. No 111, Legal).*

No. 16.—The following Regulation made by His Excellency the Governor of Madras under sub-section (2) of section 92 of the Government of India Act, 1935, received the assent of His Excellency the Governor-General on the 31st May 1940 and is hereby published for general information —

Madras Regulation No III of 1940

A Regulation to abolish the system of debt bondage and to make provision regarding agreements for the performance of certain kinds of labour in the partially excluded areas in the Province of Madras

WHEREAS it is expedient to abolish the system of debt bondage, called "gothi" existing in the partially excluded areas in the Province of Madras,

AND WHEREAS it is expedient to limit the period and regulate the terms of, and otherwise to make provision regarding, agreements for the performance of unskilled manual labour in those areas; It is hereby enacted as follows:—

1 *Short title and extent* —(1) This Regulation may be called the Madras Agency Debt Bondage Abolition Regulation, 1940

(2) It extends to the whole of the partially excluded areas in the Province of Madras

2 *Definitions*—In this Regulation unless there is anything repugnant in the subject or context—

- (i) advance means an advance of money or in kind or partly of money and partly in kind and includes any transaction which is substantially an advance
- (ii) 'Agent' means the Agent to the Government of Madras
- (iii) 'employer' means a person for whom a labourer is under the terms of an agreement bound to perform labour
- (iv) gothi agreement means an agreement written or oral or partly written and partly oral wherein the consideration for the performance of labour by any person is a debt due by that person and the interest, if any on such debt and includes any transaction which is substantially such an agreement
- (v) labour means agricultural labour and includes domestic service or labour whether indoor or out door
- (vi) labour agreement means an agreement written or oral or partly written and partly oral wherein the consideration for the performance of labour by any person is or includes an advance exceeding the equivalent of one month's fair and equitable remuneration made or to be made to such person or at his request to someone else and the interest, if any on such advance and
- (vii) labourer means a person who under the terms of an agreement is bound to perform labour

3 *Future gothi agreement void*—A gothi agreement entered into after the commencement of this Regulation shall be wholly void

4 *Future labour agreement unless satisfies certain conditions void*—A labour agreement entered into after the commencement of this Regulation shall be wholly void—

- (i) if the full terms of the agreement between the parties are not expressed in writing or if a copy of such agreement is not filed in the office of the Agency Divisional Officer or any other authority appointed by the Provincial Government in that behalf or
- (ii) if the advance with the interest thereon if any is not a fair and equitable remuneration of the labourer for the period during which he has to perform labour or
- (iii) if the period express or implied during which the labour is to be performed exceeds or might in any possible event exceed one year or
- (iv) where provision is made for interest if the interest provided is not simple interest at a rate not exceeding six and one fourth per cent per annum

Explanation—For the purpose of this Regulation remuneration shall not be deemed to be fair and equitable if it is less than the amount which the Provincial Government may from time to time by notification fix or, where the amount has not been so fixed, if it is less than seven rupees a month where the labourer is not fed by the employer, or four rupees a month where the labourer is fed by the employer.

5 *Liability to perform labour extinguished on the expiry of the period specified in the agreement*—All liability to perform labour under a valid labour agreement shall be extinguished on the expiry of the period specified in such agreement.

6 *Right of labourer to pay off advance due and free himself from the obligation to perform labour*—A labourer shall be at liberty to pay off any balance due out of the advance together with the interest thereon, at any time during the subsistence of a valid labour agreement and free himself of any obligation to perform labour under the agreement.

7 *Collateral agreement by a labourer void*—A labourer who has entered into a labour agreement shall not be bound to execute any other document in respect of the advance or interest thereon. If any other document is executed by a labourer, it shall be wholly void.

8. *Labour agreement void on death of labourer and liability to labour extinguished*—Every labour agreement referred to in section 1 shall lapse on the death of the labourer and no liability under the labour agreement shall survive against the estate of the deceased labourer or against any of his heirs.

9 *Special provisions in respect of subsisting gothi and labour agreements*—(1) A gothi or labour agreement subsisting at the commencement of this Regulation shall be wholly void unless its terms are settled, as though it were a labour agreement entered into after the commencement of this Regulation, under sub-section (2), and a copy thereof as so settled is filed in the office of the Agency Divisional Officer or any authority appointed by the Provincial Government under clause (i) of section 4.

(2) Any party to a gothi or labour agreement subsisting at the commencement of this Regulation may apply to any officer empowered by the Provincial Government in that behalf for the settlement of the terms of such agreement, and such officer shall settle the terms of such agreement as though it were a labour agreement entered into after the commencement of this Regulation and such settlement shall be binding on the parties to the agreement. A copy of the agreement as so settled shall be filed in the office of the Agency Divisional Officer or any authority appointed by the Provincial Government under clause (i), of section 4.

10 *Penalty for obtaining labour in pursuance of a void agreement*—Whoever obtains labour from a person in pursuance of an agreement which is void under this Regulation shall be punished with fine which may extend to two hundred rupees or in default with imprisonment of either description which may extend to six months.

11 *Other penalties*—Any employer who—

- (i) fails to file in the office of the Agency Divisional Officer or any authority appointed under clause (i) of section 4, a copy of a labour agreement entered into after the commencement of this Regulation or of a *gothi* or labour agreement the terms of which have been settled under sub section (2) of section 9 or
- (ii) fails to pay the labourer his remuneration or fails to feed him when according to the terms of the agreement he is bound to feed the labourer shall be punished with fine which may extend to two hundred rupees or in default with imprisonment of either description which may extend to six months

12 *Termination of agreement by employer*—(1) If during the period of a valid labour agreement or of a *gothi* or labour agreement settled under sub-section (2) of section 9 a labourer without just cause withholds the stipulated labour or does not perform it with reasonable assiduity the employer may give to the labourer one month's notice in writing of his intention to terminate the agreement and file a copy of such notice in the office of the Agency Divisional Officer or other authority in which a copy of the original agreement was filed. On the expiration of one month from the date of such notice or of filing the copy thereof as aforesaid whichever is later the agreement shall terminate and thereupon the employer may apply to the Agency Divisional Officer for the recovery of the money value of the labour withheld or not performed till the termination of the agreement and the balance of the principal of the advance or of the debt due on the date of the termination of such agreement together with interest thereon if any

(2) If upon such application it is proved to the satisfaction of the Agency Divisional Officer that the labourer without just cause has withheld the stipulated labour or did not perform it with reasonable assiduity he may pass an order directing the labourer to pay the employer such sum not exceeding the money value of the labour withheld or not performed till the termination of the agreement and the balance of the principal of the advance or of the debt due on the date of the termination of the agreement together with the interest if any

(3) Any sum payable to the employer under an order made under sub section (2) may be recovered on application to the Magistrate having jurisdiction where the labourer by whom the money is payable is for the time being resident by the distress and sale of any movable property belonging to the labourer which is within the limits of the Magistrate's jurisdiction

13 *Trial of offences*—No offence made punishable by or under this Regulation shall be tried by a court inferior to that of the Agency Divisional Officer

14 *Institution of prosecution and composition of offences*—(1) No prosecution for an offence under this Regulation shall be instituted except by an officer of the Land Revenue Department not below the rank of Deputy Tahsildar

(2) Any such officer may accept from any person reasonably suspected of having committed an offence under this Regulation

a sum of money by way of composition for the offence. On payment of such sum of money to such officer no further proceedings shall be taken against such person in respect of such offence.

15 *Appeals* — From any sentence of the fine exceeding fifty rupees an appeal shall lie to the Agent. Such appeal shall be preferred within thirty days from the date of the sentence appealed against.

16 *Decisions of disputes* — (1) If any dispute arises between the employer and the labourer in respect of a valid labour agreement or of a *gothu* or labour agreement settled under sub-section (2) of section 9, the Tahsildar or Deputy Tahsildar having jurisdiction may on the application of the employer or labourer decide such dispute and pass order as he may deem fit and every such order shall be binding on the employer and the labourer.

(2) Any sum payable under an order made under sub-section (1) may be recovered on application to the Magistrate having jurisdiction where the person by whom the money is payable is for the time being resident, by the distress and sale of any movable property belonging to that person which is within the limits of the Magistrate's jurisdiction.

(3) The Agency Divisional Officer may revise any order passed under this section by a Tahsildar or Deputy Tahsildar.

17 *Revision by Agent* — The Agent may revise any order or sentence passed under this Regulation against which no appeal lies.

18 *Orders of Agent final* — The orders of the Agent passed on appeal or revision shall, subject to the provision of section 19, be final.

19 *Revision by Provincial Government* — The Provincial Government may revise any order of the Agent passed on appeal or revision.

20. *Exemption from fees* — No fee shall be charged in connexion with any document, complaint, application or appeal filed by a member of a hill tribe under this Regulation.

Explanation — For the purpose of this section the expression "hill tribe" shall have the same meaning as in clause (c) of section 2 of the Agency Tracts Interest and Land Transfer Act, 1917 (Madras Act I of 1917).

21. *Jurisdiction of civil courts barred* — No civil court shall have jurisdiction in any matter arising under this Regulation.

22 *Rules* — The Provincial Government may make rules to carry out all or any of the purposes of this Regulation not inconsistent therewith.

23 *Saving* — Nothing contained in this Regulation shall apply to the grant of advances to labourers not exceeding the equivalent of one month's fair and equitable remuneration.

(By order of His Excellency the Governor)

P APPU NAIR,
Secretary to Government

APPENDIX I

[See paragraph 309.]

List of areas

Mandla District—The whole district (which is Partially Excluded)

Jubbulpore District—Barwara Sleemanabad, Umaria, Kundam, Khamaria and Barhi Revenue Inspectors Circles and those portions of Shahpura Revenue Inspector's Circle south of the Narbada

Chhindwara District—(a) The whole *khalsa* area giving separate figures for Seoni Sub-division

(b) The Harrai Gorakghat, Gorpani, Batkagarh Bardagarh Partapgarh (Pagara) Almod and Sonpur Jagirs, and the Chhindwara district villages of the Pachmarhi Jagir (Partially Excluded Areas)

Betul District—(a) The whole of Betul Tahsil

(b) The Bhainsdehi Tahsil (Partially Excluded Area)

Hoshangabad District—In Narsinghpur Tahsil Bachai Revenue Inspector's Circle patwari circles 9 10 and 11 of Them Revenue Inspector's Circle patwari circles 76 77 and 80 of Chhota Chhindwara Revenue Inspector's Circle and patwari circles 25 to 28 40 and 41 of Kareli Revenue Inspector's Circle In Gadawara Tahsil patwari circles 52 to 56 86 to 88 1 to 5, 13, 14 17 and 18 In Sohagpur Tahsil the whole of the tahsil south of the railway line except patwari circles 8 9, 10 19 20 31 32 36, 37, 59 and 60 the small portion of patwari circles 23 and 40 north of the railway line should be included and the portion of patwari circles 16 19 33, 54 55 and 57 north of the Bombay Calcutta railway line In Hoshangabad Tahsil the whole of the tahsil south of the railway line except patwari circles 3 15 22 25 and 28 In Seoni Malwa Tahsil the whole of the tahsil south of the railway line except patwari circles 21 23 25 31, 32 33 35, 36, 37 38 and 8 In Harda Tahsil patwari circles 1 2 3 4 5 23, 24 25 and 26 of Handia Revenue Inspector's Circle with patwari circles 74 75 76 and 79 of Charwa Revenue Inspector's Circle and patwari circles 51 53 56 57 58 and 80 of Rahatgaon Revenue Inspector's Circle

Nimar District—The whole of Harad Khaknar and Shahpur Revenue Inspector's Circles of Burhanpur and the Singot Revenue Inspector's Circle of Khandwa Tahsil

Khandwa District—(a) The *khalsa* portion of Garchiroli and Sironcha Tahsils

(b) The Partially Excluded Areas viz the Ahiri zamindari in the Sironcha Tahsil and the Dhanora Dudmala Gwardha Jharapapra, Khutgaon Kotgal, Murumga Palasgarh Rang Sursundi Sonsari, Chandala, Gilgaon Pai Muranda and Potegaon zamindaris in the Garchiroli Tahsil

Nagpur District—The Deolapar Revenue Inspector's Circle

Bilaspur District—(a) The Pandaria zamindari and patwari circles 1 to 4 of Lormi Revenue Inspector's Circle in Mungeli Tahsil, and Katghora town.

(b) The Pendra, Kenda, Matin, Lapha, Uprora, Chhuri and Korba zamindaris.

Raipur District—The Zamindaris

Drug District—(a) The Zamindaris except those in (b).

(b) The Partially Excluded Areas, viz., the Aundi, Korach, Panabaras and Ambagarh-Chauki zamindaris.

Bhandara District—Patwari circles 1 and 11 of Bhandara Tahsil, patwari circles 1 to 46 of Gondia Tahsil, and patwari circles 22 to 26 and 32 to 39 of Sakoli Tahsil

Balaghat District—(a) The Katangi Revenue Inspector's Circle in Waraseoni Tahsil and patwari circles 19 to 21, 32 to 34, and Kiranapur, Kihni, Bijargarh and Bhadra Zamindaris in Balaghat Tahsil

(b) The Partially Excluded Area (Baihar Tahsil)

Amraoti District—The Melghat Taluq (Partially Excluded Area)

Yeotmal District—Kelapur and Pusad Taluqs

Questionnaire No. 5

1. (a) Kindly provide for the above areas, by tahsils (showing the Partially Excluded Areas of each tahsil separately) particulars of the various types of societies existing and of their efficiency and financial position, giving the total number of societies (i) entirely aboriginal, (ii) others, and the total number of aboriginal members in (i) and (ii)

(b) How many societies are under liquidation in those areas and how many of these societies have aboriginal members?

(c) Has the collection of old arrears set the movement back among aboriginals?

2 Are there any special aboriginal societies in these areas?

3 Are there any aboriginal directors of central banks, other than zamindars?

4. How far does the average aboriginal understand the principles of co-operation and the procedure laid down for banks and societies?

5 What is your experience about repayment of loans by aboriginal members of co-operative societies?

6 Please describe any special features of the work of the Co-operative Department amongst the aboriginals in the areas concerned

7 What is the reason for the very slow progress made amongst aboriginals by the co-operative movement?

8. Do you consider that the co-operative system can be extended amongst aboriginals in these areas? If so, would you suggest any special forms of societies and under what safeguards?

9 Are there any special difficulties owing to the raiyatwari system or to restrictions on the right of transfer of property?

10 Has any special study been made of special methods for extending co operation amongst aboriginals?

11 How many co-operative assistant registrars, circle auditors or organisers are able to speak Gondi and Korku, or are fluent in Chhattisgarhi and other local dialects of Hindi?

12 Is any special training given to co-operative officials who are to work in aboriginal areas?

13 (a) Is any information available as to the cost of marriage and other aboriginal ceremonies expenditure on which is one of the principal causes of aboriginal debt? (This question can be briefly answered without local enquiry the only point is to see whether organisers etc have any knowledge on these points)

(b) Are loans for marriages ever given by primary societies?

(c) Does the training of co operative officials include any knowledge of the social customs of the various tribes and castes or any training in village propaganda?

14 Are you in favour of allowing loans for the purchase of carts saws salt cloth grain etc in aboriginal areas?

15 What steps should the Co-operative Department take in conjunction with the Agriculture Department to free aboriginals from dependence on the Bania for financing agriculture and weddings and for selling their produce and purchasing the necessities of life?

16 Could co-operative stores be organised as purchase and sale societies?

17 What steps have been taken by the Co-operative Department in any of the areas with which this questionnaire is concerned to foster any of the cottage industries dealt with in the Report of the Industrial Survey Committee 1939 particularly by way of credit facilities for purchasing raw materials and of organising the marketing of products? (The industries to be particularly considered are oil pressing, gur honey production spinning and weaving of cotton and kosa silk sheep-breeding, carpentry blacksmith's work mat and bamboo-work rope making poultry farming lac work and collection of forest products for drugs and medicines the reply might deal also with carting as an industry and organisations of local labour for forest contracts)

18 How far does the Department locally co-operate with the Forest Agriculture and Veterinary Departments over such matters as collection and sale of forest produce seed union improved seed agricultural societies poultry farming sheep-farming and improved marketing?

19 What part is being played in your area by the Co-operative Department in plans in combination with other departments and the Village Uplift Board for village betterment?

APPENDIX J

[See paragraph 309]

1a) distribution of co-operative societies in the aboriginal areas.

Question No 1 (a)					Question No 1 (b)		
Mandla	Co-operative Societies containing				Societies in liquidation		
	Aboriginals entirely		Aboriginals and others		No of Societies	No. of Societies with aboriginal members	No of aboriginal members
	No of Societies	No of members	No of Societies	No of Aboriginal members			
(2)	(3)	(4)	(5)	(6)	(7)	(8)	
Mandla district							
..	7	93	14	71	1	Nil	148
..	19	194	12	96	40	40	68
..	87	944	14	75	6	6	
Jubbulpore district							
..	Nil	Nil	20	90	17	11	48
..	Nil	Nil	1	10	4	1	11
..	24	266	2	17	3	3	31
Chhindwara district.							
(khalsa)	1	10	10	45	17	11	Number of members not given.
(khalsa) ..	4	30	16	93	27	21	
..	3	28	2	8	8	4	56
..	5	40	75	468	44	6	
..	4	50	8	62			
Information not available							
Betul district.							
..	53	563	..	..	15	15	149
..	4	27	..	..	
Hoshangabad district							
..	..	..	14	20	1	1	Nil
..	..	..	7	6			
..	1	10	11	41	15	15	66
..	Nil	Nil	4	4	6	5	26
..	Nil	Nil	Nil	Nil	Nil	13	None
..	Nil	Nil	6	15	1	1	1
Nimar district.							
..	17	223	2	8	17	1	3
..	12	126	8	22	10	7	25
..	7	70	11	50	6	5	23
Chanda district.							
(The Sironcha Central Bank was wound up nearly ten years ago. No central bank operates in this area nor is it included in the areas of the Warora or Brahmapuri Central Banks)							
..	..	..	4	44	..	..	..
..
Nagpur district							
..	Nil	Nil	6	62	Nil	Nil	..

APPENDIX J—cont

District and tahsil	Question No. 1 (b)				Question No. 1 (b)		
	Co-operative Societies containing				Societies in liquidation		
	Aboriginals entirely		Aboriginals and others		No of Societies	No of Societies with aboriginal members	No. of aboriginal members
	No of Societies	No. of members	No. of Societies	No. of aboriginal members			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<i>Bilaspur district</i>							
(a) Pandaria zamin-dari and khalsa areas in Appendix A.	Nil.	Nil.	1	4	Nil	Nil	
(b) Partially excluded zamindaris.	3	38	38	245	Nil	Nil	
<i>Raipur district</i>							
Fingeshwar zamin-dari.	Nil	Nil	18	108	Nil	Nil.	
Other zamindaris	The co-operative movement has not been started in these areas.						
<i>Drug district</i>							
(a) 1 Gundar dehi zamindari.	Nil	Nil	4	17	1	1	2
2. Dondi Lohar a zamindari.	Nil	Nil	2	12	Nil	Nil.	
3 Khujji zamin-dari.	1	13	2	10	Nil	Nil.	
4 Ora d b a n d h zamindari	Nil	Nil	2	8	Nil	Nil	
(b) Partially excluded zamindaris.	Nil	Nil	Nil	Nil	Nil	Nil	
<i>Bhandara district</i>							
Bhandara	Nil.	Nil	Nil	Nil	Nil.	Nil	
Gondia	9	86	83	116	Nil.	Nil	
Sakoli	5	40	11	27	Nil	Nil	
<i>Balaghat district</i>							
Waraseoni	Nil.	Nil	1	12	3	1	
Balaghat	Nil	Nil.	13	4	7	Nil.	
Baihar	Nil.	Nil.	1	The Society is dormant.	Nil	Nil	
<i>Amraoti district</i>							
Melghat	Nil.	Nil.	Nil.	Nil	Nil	Nil	
<i>Yeotmal district</i>							
Kelapur	Nil	Nil	Nil	Nil	5	Nil	
Punad	(Information not supplied).						
Total for the aboriginal areas in the province.	266	2,851	423	1,871	267	158	657

APPENDIX K

[See paragraph 314]

Notes on the special steps proposed or adopted in the East Godavari Agency and the Chenchu tract of the Kurnool district of Madras

The scheme proposed for opening a stores-cum-sales depot at Addatigala in the East Godavari Agency is given below

2 According to the Agency Tract Interest and Land Transfer Act, I of 1917, lands belonging to the hillmen could not be transferred to the people of the plains, except with the special sanction of the Special Assistant Agent of the Agency. But a similar prohibition does not exist in respect of the produce grown on such lands. It was reported by the Agent to the Governor, East Godavari, that, taking advantage of the general backwardness and illiteracy of the hillmen, traders and sowcars from the plains virtually got a long lease of the produce of the hillmen for unduly small consideration. To prevent such exploitation, it was suggested that a system should be devised under which the hillmen could be assured of a fair price for their produce and also get the necessary financial assistance for meeting their domestic expenses, until the value of their produce was realised.

3. The few co-operative credit societies then working in the Agency Tracts were mostly composed of people from the plains who had settled in the Agency Tracts and they could not, therefore, offer any indication of the extent to which co-operative methods could be applied to the hillmen. Moreover, even these societies were not working satisfactorily. It was felt, therefore, that the chances of successfully tackling the problem by straight away introducing co-operative societies for the hillmen alone were very doubtful, on the other hand, if the hillmen could be given a sort of training in organised credit and marketing and passed through a period of probation, as it were, it might eventually lead to the introduction of co-operative societies. For this purpose, it was suggested that the Government itself might open some sort of general stores-cum-sales depots at convenient centres, preferably at weekly market villages. These depots should be placed under the control of a whole-time Government official, who would be charged with the duty of arranging to collect the produce of the hillmen and personally supervising the actual sale and payment of the sale-proceeds to the hillmen. The Stores would also supply the domestic requirements of the hillmen. It was expected that such a scheme might effectively eliminate the exploitation by the plains sowcars, in the matter of prices, weights, measures, etc. But it had also to be recognised that on such arrangements being introduced, the plains sowcars would cease to finance the hillmen for their cultivation expenses and domestic requirements. To enable the hillmen to meet their financial needs for these purposes, it was proposed that small sums should be advanced to them by the Government, the advances being recovered from the sale-proceeds of the produce. As the scheme was to be purely an ameliorative measure undertaken by the Government and not one to be worked by a registered body under the Co-operative Societies Act, there was no

scope for securing finance from the co-operative banks and the proposal therefore contemplated Government finance. It was also proposed that after the hillmen had been trained in this scheme for a period of one year the question of establishing a co-operative organisation might be thought of.

4 As regards the officer to be employed for running the depot it was suggested in 1938 that a Revenue official would be better fitted for the work because the hillmen were familiar only with officials of the Revenue Department. Subsequently in 1939 however, the Co-operative Department agreed that an Inspector of the Co-operative Department would be best fitted for the work but that he should be placed under the direct control of the local Revenue Officers in the Agency tracts as the depot would be run by the Revenue Department.

Copy of letter No B-868-40 dated the 10th August 1940 from the Assistant Registrar of Co-operative Societies Kurnool to the Collector Kurnool

SUBJECT—Indreswaram Chenchu Gudem—Thrift and Loan Co-operative Society—working of—report submitted

REFERENCE.—Collector's endorsement Rc B-6-5041 40 dated the 2nd August 1940

The Indreswaram Chenchu Gudem Co-operative Thrift and Loan Society Ltd No P 422 was registered on the 31st March 1934 and started work on 30th April 1934. The Gudem is situated in the Nallamalais at a distance of six miles from Atmakur in the Nandikotkur taluq of the Kurnool district.

The objects of the society are—

- (1) To encourage the habit of thrift among the members by giving them facilities to save money and teach them that one who cannot save cannot borrow money
- (2) to borrow money from members and lend it to them for useful purposes
- (3) to act as the agent for the joint purchase of the domestic and other requirements of the members and
- (4) generally to encourage self help and co-operation among members

The liability of the members of the society is limited to the share capital subscribed by them. The authorized share capital of the society is Rs 200 made up of 200 shares of Re 1 each. There are now 52 members on the rolls of the society with a paid up share capital of Rs 96.

Management—The Executive Management of the affairs of the society vests in a panchayat consisting of three members. The Forester of the Gudem is the *ex officio* President and the Treasurer of the society. He issues receipts and maintains the accounts. Two members of the panchayat are elected by the General Body for a period of two years from among the members.

Business—Besides collecting thrift deposits from members, the society has been undertaking fuel coupe contracts and contracts for the collection of minor forest produce to provide the Chenchus with adequate labour

During the year 1939-40, the society did not take any contract for the collection of minor forest produce as the Atmakur Chenchu Co-operative Purchase and Sale Society, Ltd, was registered on the 3rd January 1940 and started work on the 29th January 1940. The Indreswaram Chenchu Gudem is included in the area of operations of this new society whose jurisdiction extends over the whole of the Kurnool West Forest Division. There has been a proposal to amalgamate the Indreswaram Chenchu Gudem Thrift Loan and Sale Co-operative Society with the new society at Atmakur. A rough balance sheet showing the financial position of the society is given below—

<i>Assets</i>				<i>Liabilities</i>			
	Rs	a	p		Rs	a	p
Cash on hand	0	1	0	Thrift Fund Deposit ..	120	3	0
Cash in Savings Bank	810	3	0	Other deposits ..	495	1	0
Loans due from members	221	12	0	Share capital	94	0	0
Interest due from members	15	4	0	Interest due	40	4	0
Suspense items	23	0	0	Suspense items	1	0	0
				Dividend due to members	15	11	0
				Common Good Fund	8	15	0
				Undisbursed profits	322	2	0
				Reserve Fund yet to be invested	124	5	0
Total	1,070	4	0	Total	1,221	9	0

2 The Atmakur Chenchu Co-operative Purchase and Sale Society, Ltd, was started with the main object of purchasing the minor forest produce from the members and non-members Chenchus and selling it to the best advantage. The other objects of the society are—

- (1) to take contracts or leases under Government or quasi-Government Departments and to work them with a view to provide wages to members,
- (2) to rent or own godowns to facilitate the storage of produce, and
- (3) to encourage self-help, thrift and co-operation among members

The liability of the members of the society is limited to the share capital subscribed by them. The authorised share capital of the society is Rs 10,000 made up of 2,000 shares of Rs 5 each. There are at present 464 members on the rolls of the society with a paid up share capital of Rs 1,672-4-8.

Management—The Executive Management of the affairs of the society is vested in a Board of Directors consisting of twelve elected representatives of the Chenchu members not exceeding one per Gudem in the area of operations of the society and the following four officials as *ex officio* members of the Board—

- (1) The District Collector, Kurnool, who is the Special Chenchu Officer (President),

- (2) The District Forest Officer West Division Kurnool (Vice-President)
- (3) The Assistant Registrar of Co-operative Societies Kurnool
- (4) Forest Range Officer working within the jurisdiction of the society selected by the *ex officio* President (Secretary)

Business—The collection of the following main items of minor forest produce was taken up by the society during the year 1939-40 —

- (1) Tamarind (2) Gall nuts (3) Ippapaluku (4) Marking nuts and (5) Honey

During the current year the society contemplates to develop its business by undertaking the collection of other minor forest produce like Sarapappu, beeswax etc. To facilitate collection of minor forest produce five collection depots were fixed at the headquarters of important Gudems and the Gudem Teachers were appointed as Depot Keepers on a monthly remuneration of Rs 5 each. The main sale depots were fixed one at Atmakur and the other at Velgode where the produce collected at the sub-depots was lodged. The Range clerks at these two places were appointed as Depot Keepers on a monthly remuneration of Rs 10 each. The Watchers of the Forest Rest Houses at these two places were appointed as watchers for the sale depots on a monthly remuneration of Re 1. The headquarters of the society is at Atmakur.

The society was granted a loan of Rs 6 000 by the Government at $4\frac{1}{2}$ per cent interest per annum repayable before the 30th June 1940. This loan of Rs 6 000 was utilised by the society for its working capital and the society was able to repay the entire loan with interest within the stipulated time from out of the sale proceeds of the minor forest produce collected by the society. The main item of minor forest produce collected by the society during 1939-40 is tamarind. This was sold to Jails and Government Hospitals. A statement of receipts and charges for 1939-40 is enclosed for reference. The profits earned by the society on account of these transactions cannot now be arrived at as the valuation of stock is not yet completed.

Receipts

	Rs	a	p
1 Share capital of members	1,672	4	8
2 Entrance fees	32	14	5
3 Government loan	6 000	0	0
4 Sale-proceeds realised so far	4,243	2	6
5 Advances recovered by the purchase of minor forest produce from the Range Officers and Depot keepers.	3 401	4	10
6 Withdrawn from the Postal Savings Bank	7 700	0	0
7 Adjusting head—			
(a) Due to Society	1 658	15	6
(b) Due by Society	280	0	0
8, Sale proceeds received by adjustment	1 368	10	2
Total	26 357	4	2

Charges

		Rs	a	p
1	Deposits in Postal Savings Bank	7,941	11	0
2	Advances made to Range Officers and Depot-keepers ..	3,845	0	0
3	Minor forest produce collected	2,286	0	4
4	Government loans	6,000	0	0
5	Interest	67	12	8
6	Lease amount repaid to the Forest Department	1,500	0	0
7	Adjusting head—			
	(a) Due to society	1,704	2	1
	(b) Due by society	280	0	0
8	(a) Furniture	110	5	0
	(b) Sheds	174	0	0
9	Sales effected through Sub-Depots received by adjustment	1,368	10	8
10	Establishment and contingencies—	Rs	a	p
	(a) (i) Shelling charges	546	15	11
	(ii) Luggage	1	6	0
	(iii) Cartage	78	2	6
	(iv) Cooly	31	7	5
	(v) Railway freight	82	10	0
	(vi) Packing materials	33	12	10
	(vii) Sealing honey tins	1	0	6
			775	7 2
	(b) (i) Pay of establishment	119	1	0
	(ii) Rent	50	0	0
	(iii) Remittance charges	0	14	0
	(iv) Postal charges	1	2	0
	(v) Tom Tom	0	4	0
	(vi) T A Depot-keeper	8	4	0
	(vii) Revenue stamps	0	1	0
	(viii) Kerosene	1	4	0
	(ix) Books	89	5	0
	(x) Bond registration	12	12	0
	(xi) Stationery	3	15	8
	(xii) Conveyance	1	8	0
			288	6 8
	Total	26,341	7	2
	Closing Balance	15	13	0
	Total	26,357	4	2

APPENDIX L

[See paragraph 319]

List of articles of food normally used by the aborigines in the Dindori Tahsil

Rice—This is eaten throughout the year, but mostly soon after the harvest. It is taken either as *bhat*, when 60 tolas are used per head, or as *pej* when 30 tolas are used.

Kodai, or fully husked *kodon*, is still more commonly used owing to its good keeping qualities. Cooked as *bhat* 55 tolas and as *pej* 27 tolas are used.

Kutki—Same as above.

Wheat—This is popular, but the tribesmen usually have to sell it. When they eat it, they do so in summer. For *roti* 60 tolas, for *bhat* 60 tolas, and for *pej* or *darra* 40 tolas.

Chana—Much the same as wheat.

Maize—An important crop in the rains. It is stored and used as long as it lasts. For *pej* 30 tolas, *roti* 60 tolas and *bhat* 60 tolas.

Kodela, or wild *kodon*—Same as *kodai*.

Sanwa, *chichmi*, *nawari*, *kang* and *murria* are all used in much the same way as *kodon* and *kutki*. The two latter are specially Baiga foods.

Pulses—*Urda rahar janyru*, are eaten with *bhat* or *roti* 20 tolas per head per meal *Bhatta* and *masur* are also used when available

Meat—Goat is eaten in October February and March some times at marriages and when ordered by the magician for sacrifice Chicken once every fortnight or at least every month Pig once or twice a year or again when ordered for festivals or sacrifice It is specially used at the *Laru kaj* sacrifice

Fish—In the rains whenever possible and at least once a week throughout the year This is the most popular food and is good for eyesight

Liquor—At one time it is considered proper to drink 24 ounces and it should be taken at least once a week generally on the bazaar day Used also at marriages and all festivals etc

Tobacco—This is considered as a form of nourishment and 5 tolas a week are taken

Vegetables—The following are used which are grown in the garden —

Barbatti khira (this is preserved for use during the year) *kumhara* (made into the very popular *barru* and preserved) *tuma* (preserved) *ramkaria turai dorka kacheri soran kanda kamar*

Wild vegetables—

Purpuri (very popular) *chach kutni kochai* (this is preserved) *nangakeni kaooakeni chirchira charota* (preserved and popular) *gatlarya nunia koelar* (preserved and popular available in June and July) *pachguria channa* (very important preserved) *rai* (preserved popular December and November) *ramtila* leaves (not much liked) *patua* (preserved) *kajera anti silari ajan* (preserved March) *bohara* (in March preserved) *phakri* leaves (tender leaves picked in summer and preserved) *pipar kata kutni path tha chatti boita* (April and May) *dhoto munga kanda* (preserved) *semi* (March and April) *sarota chirpoti kachar khumra gummi* (April and May) *phiri mushrooms karil* young shoots of bamboo *putu kotni khara*

At a meal along with rice or other *bhat*, there is often taken pulse 20 tolas vegetables 20 tolas chilli $\frac{1}{2}$ tola salt $1\frac{1}{2}$ tolas *dhanna* and *jhira* $\frac{1}{4}$ tola and 1 tola of oil or ghee

With *por* there is taken vegetable salt chilli curry of gram or *dal* But often it is simply taken with salt

Mahua is used in several ways Mixed with *ramtilla* it is made into *lata* a sort of sweet With the expressed juice *roti* and *khir* is made It is also prepared by placing the dry fruit in water and cooking all night and gram or wheat and *saras* fruit or *thelka* fruit is mixed in They also eat it with rice flour made into *pharra* fingers

Eggs—Not eaten very often They are sold or used for breeding Often cooked in cow-dung

Fruit—All edible jungle fruits are eaten

District Council area	Number of voters enrolled										Nominated†				Selected†				Total				Total										
	Aboriginal		Others	Aboriginal		Others	Aboriginal		Others	Aboriginal		Others	Aboriginal		Others	Aboriginal		Others	Aboriginal		Others												
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)	(30)	(31)	(32)	(33)	(34)
Saugor	2,381	49,865		46				15		61		20	1			6	1	26															
Damoh	3,288	25,896		25		5				30		14	1			3	1	19															
Jubbulpore	(a)	(a)		56	1	11			4	67	1	19						30															
Mandla	25,692	16,984	3	14		6			15	20	4	8						14															
Hoshangabad	3,920	33,993		55		10		2		67		(a)				(a)		28															
Narsinghpur	2,509	19,864		18		2		3		23		(a)				(a)		24															
Nimar	6,792	41,406	1	28				8	1	37	1	14			1	7	1	21															
Chhindwara	19,241	39,400	2	33				15	2	48	1	15				8	2	23															
Independent Mines	2,814	3,531		4		9				13																							
Local Board																																	
Seoni	(a)	(a)	2	28	1	4		4	3	36		12				5		20															
Betul	13,254	24,977	2	27	1	4			3	31		12				3		18															
Nagpur	2,360§	35,564§		57		10				67		24				6		36															
Wardha	2,482	44,144		42				12		54		24				8		32															
Chanda	9,002	(a)	2	56				12	2	68	1	24				7	1	37															
Sironcha I. L. B.	3,354	2,850	5	9		2	1	1	6	12																							
Balaghat	12,315	37,611	1	22		3		4	1	29		16				2		22															
Bhandara	6,303	107,307		29	1	4		2	1	35		16				6		26															
Raipur	21,829	105,575	3	66		12			3	78	1	19				5	1	29															
Bilaspur	18,179	119,135	2	64	1	12			3	76		16				4		24															
Drug	14,958	74,074	7	51	2	8			9	59	1	19				8	1	27															
Amraoti	(a)	(a)		64		18				82		20				5		30															
Melghat I. L. B.	2,935	1,071		5	3	4			3	9																							
Akola	3,563	100,549		71		23				94		24				6		36															
Buldana	1,492	90,816		63		17		6		86		20				6		31															
Yeotmal	8,000||	70,500||		67	1	16				84		20				5		30															
	45	1,000	10	180	1	84	56	1,256	10	3	1	14	583																				

* Including those appointed under section 10-A, Local Self-Government Act † Including *ex-officio* members ‡ Includes office-bearers elected from non-members of the Board or Council § Omits Nagpur Tahsil figures || Approximate (a) Figures not available.

APPENDIX N — Village Panchayats
(See paragraph 428)

District	Aboriginal villages			Other villages			Remarks	
	Number of panchayats	Number in column (2) that are efficient	Number of aboriginal panchayats	Number of		Panchayats		
				Number of aboriginal panchayats	Number of			
								Aboriginal	Panchayats
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
								(a) Omitting Sibora Tehsil.
Saugor					34	2		
Jubbulpore (a)					31	6		
Mandla					17	3		
Hoshangabad					65	10 (b)		(b) These 10 are in Narsinghpur Sub-division it is not clear whether in aboriginal or non aboriginal villages.
Nimar	1		1	7	25	3		
Chhindwara	3		2	5	55	23		
Nagpur	6	4	2	14	37	6		
Wardha	2			3	9			
Betul (c)	8			23	29	1		
Chanda	1	1	1		32	1		
Balaghat	2			7	15	3		
Bhandara					7	1		
Rajpur					18	12		
Bilaspur (d)			3	10	35	3		(c) The total number of panchas in aboriginal villages is 107 and in others 370
Drug	5							(d) No information supplied
Amraoti (Mejbat)	10	10		12	86			
Akola					79			
Buldana								

(a) Omitting Sibora Tahsil.

(b) These 10 are in Narsinghpur Sub-division it is not clear whether in aboriginal or non aboriginal villages.

(c) The total number of panchas in aboriginal villages is 107 and in others 370

(d) No information supplied

APPENDIX O

[See paragraph 429]

Appendix to the Chapter on Caste (Chapter IX, page 230)
in Marten's 1911, Central Provinces and Berar Census Report—

"The following account of the tribal council of the Maria Gonds of South Chanda has been sent in by the Manager of the Ahiri estate, and is worth quoting almost in full. Every genuine Maria village has a village headman or *patel*, called the *gaita*. In addition to his office as a *gaita* he generally exercises also the hereditary functions of a *Bhumia* or religious headman of the village. This dual office used formerly to be held as a rule by one and the same man in the village, and, with a few exceptions here and there owing to poverty or loss of influence on the part of the *Bhumia*, it is still so held in the majority of cases. The man enjoying the double office is therefore the patriarch of the whole village community, and his authority in the village (or a group of two or three villages) under him is supreme. This post is hereditary. The caste has not a standing panchayat or governing body. It is called together when required. But the system prevailing in the caste is far more developed and is in certain respects more far-reaching than the ordinary panchayat system prevailing in other castes. The village *Gaita*, on receiving a report of a misdemeanour or other occurrence in the village, calls two or three elders of the village together—the number is not fixed, nor is it necessary to call the same man every time—sends for the complainant and the accused, and after hearing the parties decides the case with the help of the village elders, who as a rule agree with his decision.

"The jurisdiction of the village panchayat is confined to the village itself, and a local village panchayat is never referred to for the decision of a case by persons at a distance. A group of about 50 to 100 villages is constituted into what is locally called a *patti*, and this *patti* acknowledges the authority of the chief religious and social headman of the group, who is called the *Sendhia*. The *Sendhia* is the chief priest and judge of the *patti*. Every marriage contracted, every case of social misdemeanour involving the penalty of a fine, and every other social and religious function performed in any village of the *patti* yields the *Sendhia* a fixed fee in cash, ranging from Rs 2 to Rs 10 and in some exceptional cases up to Rs 50. The office of the *Sendhia* is also hereditary and the *Sendhia* is the dominant authority in the *patti*. The authority of the *Sendhia* (for purposes of a panchayat) is invoked only in exceptional cases involving the interests of a number of villages, and in such cases the decision of the *Sendhia* on an appeal being made to him by or against a village panchayat (or a number of village panchayats) is final. For purposes of a panchayat therefore each *patti* forms a distinct unit, the internal composition of which is as follows—

- (a) Each village holds its own panchayat composed of a few village elders and presided over by the village headman (*Gaita*)

- (b) Each group of villages acknowledges the authority of the *Sendhia*, who is the court of appeal for difficult or intricate intra-communal disputes
- (c) Each *Sendhia's patti* is as a rule a compact block of country sharply defined by prominent natural geographical boundaries (a range of hills a large river or a nullah) and the *Sendhia's* authority is confined to his own *patti*

The affairs of one *Sendhia's patti* are never referred to a *Sendhia* of another *patti*. Each *patti* is known by its local geographical name (such as the Lahiri *patti*, the Vennasugar *patti*, the Jarawandi *patti*, the Ghat *patti* and so forth) and each *patti* is the sole undisputed domain of the local *Sendhia*. The only remarkable case of an exception to this general rule that occurred within the memory of living man was during the cold weather of 1909 at the village of Kotmi which belongs to the Vennasugar *patti*. A Maria's daughter of the village eloped with a Mussalman. The local village panchayat took a feast from the father of the girl and fined him an amount adequate enough for the dues of the *Sendhia*. The *Sendhia* demanded more and censured the village panchayat for having let the man off with a light amount. The village panchayat considered the *Sendhia's* demands to be exorbitant and threatened to alienate themselves from him and to invoke the aid of a foreign *Sendhia*. This was too much for the *Sendhia* who directly excommunicated the whole village panchayat. The panchayat therefore sent for the *Sendhia* of Judd* who naturally refused to affiliate the village to his *patti* but seeing the difficulties of the case agreed to purify the culprit for a small fee which was paid to him. He performed the necessary ceremonies and reclaimed the unfortunate father of the girl. Thereupon the whole *patti* of Vennasugar rose against the village of Kotmi and threatened to use violence. This caused some uneasiness to the police who began sending in reports. The Manager of the Ahiri estate went to the spot and his camp was immediately besieged by about a hundred *Gaitas* of the *patti* headed by the *Sendhia* who clamoured for justice. Their complaint was that the village people of Kotmi had set a bad example and that the people of the *patti* would know no rest till they (the Kotmi people) got themselves purified by the *Sendhia*. The Marias of Kotmi were on their part too obstinate to yield and with great difficulty the Manager succeeded in effecting a compromise by prevailing upon the *Sendhia* to reduce his demands. He agreed ultimately to give absolution for a nominal amount which was paid by the girl's father and thus ended in a merry drinking bout what threatened to be a small civil war. The next morning the *Sendhia* repeated the necessary spells and collecting together all the *Gaitas* of the *patti* with the Kotmi fellows sprinkled fresh well water over their heads and declared Kotmi as re-affiliated to his *patti*.

*This was possibly a mistake for Jhot

"This specific instance illustrates not only the great power exercised by the *Sendhia* in his *patti* but also the fact that it is impossible for a village to alienate itself from a *patti* or to disregard the authority of a *Sendhia*."

APPENDIX P

Questionnaire 4—Education

[Terms of reference (a), (b), (j), (k), (l), (p) and (j)]

1. Please fill in the table below, with figures of the latest full year available, giving such explanatory comments as you think necessary —

	Number of					
	Primary Schools		Teachers		Pupils	
	Boys	Girls	Trained	Un-trained	Boys	Girls
A Whole District	-----	-----	-----	-----	-----	-----
B * Partially Excluded Areas—						
(a)	-----	-----	-----	-----	-----	-----
(b)	-----	-----	-----	-----	-----	-----
(c)	-----	-----	-----	-----	-----	-----
(d)	-----	-----	-----	-----	-----	-----
Total for B	-----	-----	-----	-----	-----	-----
C Other Aboriginal Tracts in the district—						
(a)	-----	-----	-----	-----	-----	-----
(b)	-----	-----	-----	-----	-----	-----
(c)	-----	-----	-----	-----	-----	-----
(d)	-----	-----	-----	-----	-----	-----
Total for C	-----	-----	-----	-----	-----	-----
D Schools used by Aborigines—						
(i) in B	-----	-----	-----	-----	-----	-----
(ii) in C	-----	-----	-----	-----	-----	-----
Total for D	-----	-----	-----	-----	-----	-----
Percentage of B to A	-----	-----	-----	-----	-----	-----
Percentage of B+C to A	-----	-----	-----	-----	-----	-----
Percentage of D (i) to B	-----	-----	-----	-----	-----	-----
Percentage of D (ii) to C	-----	-----	-----	-----	-----	-----
Percentage of D to A	-----	-----	-----	-----	-----	-----

*Give separate figures for each partially excluded area or Zamindari or for the total of the aboriginal areas of each tahsil

†Each Deputy Commissioner has recently supplied a *majmuli* map showing the predominantly aboriginal areas in each tahsil. The information can be obtained from Deputy Commissioners or, if necessary, from the offices of the patwari circles that are predominantly aboriginal

The following tribes are aboriginal —

Gond Raj Gond, Maria Muria, Nagarchi Pardhan Pathari, Ojha Thotya Thathia Bhattra Gauri Parja Bhimma Dholi Mannewar Moghya Chherkya Korlu (including Buasi) Nahal or Nihal Agaria, Andh Arakh, Baiga, Bhaina Bharia Bhumia Bhil Bhilala Bhuinhar Bhunjia, Binjwar, Dhanwar Halba Kalanga Kanwar (including Tanwar) Kamar Kharia Khond Kol Kolam, Koli, Korwa, Majhwar, Nagasia Naikar Oraon Saunta, Sawara Dhoba (for Mandla District not to be confused with Dhobi)

2 Please give figures for the aboriginal primary schools of the district of the distribution of pupils by ages and of the number of pupils in each class. Generally speaking how many aboriginal boys complete the primary course and pass the IV primary examination? Have the numbers increased in recent years (a) as a whole (b) in any particular areas? Is there much wastage?

3 (a) How many aboriginal boys and girls are there attending middle and high schools in the district?

(b) Have the numbers increased in recent years (1) as a whole (2) in any particular areas?

(c) How many aboriginals have matriculated in the district in 1935 and subsequent years?

(d) How many aboriginals are there in the Colleges of the Province?

4 Please state the number of aboriginal and non aboriginal members of the School Board or School Committee of the District Council or Independent Local Board

5 For the primary schools attended by aboriginals in your district are there efficient school committees, and what is the total number of aboriginal and non aboriginal members of such committees?

Teachers

6 Please state the number of aboriginal trained and untrained teachers in the district

*7 (a) Please state the number of (1) aboriginal (2) non aboriginal teachers who can talk (i) Gond (ii) Korku (iii) Kolami

(b) How does a Hindu or Muslim teacher knowing no Gond or Korku or Kolami in a Gond speaking Korku speaking or Kolami speaking village manage to teach Gond Korku and Kolami children knowing no Hindi or Marathi?

(c) In Hoshangabad Chhindwara Betul and possibly some parts of Nimar and Amraoti Districts there are Gond and Korku mohallas in the same village or of the villages within 3 miles

*Question 7 should be answered in respect of Gond for Mandla, Seoni Chhindwara Betul, Hoshangabad, Wardha, Nagpur Chanda, Bhandara, Balaghat Drug and Yeotmal Districts in respect of Korku for Hoshangabad, Betul, Chhindwara Nimar and Amraoti Districts and in respect of Kolami for Yeotmal District only

of the same school some are Gond and some Korku How can one school served by one or two masters, unable to speak either Gondi or Korku, impart any useful education?

8 (a) Do teachers dislike being posted to schools in aboriginal and forest areas? If so, why?

(b) Are applications for leave and transfer commoner from such areas than others?

(c) Is special pay necessary to keep non-aboriginal teachers contented in such areas?

(N.B.—The existing scale of pay of primary teachers is believed to be much better than that in some other provinces, and ample to attract locally recruited teachers in backward areas.)

(d) Are teachers in aboriginal areas irregular in attendance, and prone to work for only an hour or so each day? What steps should be taken to remedy this?

(e) Are any houses available for masters in the aboriginal villages to which they are posted? How far have the orders of Government regarding provision of houses for teachers when opening new schools being carried out by the District Council? What should be done about their housing?

(f) Would it solve any difficulties, if, so far as possible, aboriginal or other locally resident youths could be appointed as masters in aboriginal areas?

(g) What complaints have the aboriginal villagers against the local schoolmasters?

(h) Have teachers and supervisors in aboriginal schools been utilized as political agents and propagandists?

(i) Does the District Council or Independent Local Board post teachers to *kala pani* villages in aboriginal areas as a punishment?

(j) What grievances have the masters in aboriginal schools?

(k) Can you suggest other steps for making masters posted to aboriginal schools more useful and more contented?

(N.B.—The question of training is dealt with below in question 32.)

Aboriginal views on education

9 (a) Is there any *genuine* demand for education from the aboriginals themselves in all or in any part of the district and from all the local aboriginals or from any particular tribe?

(b) In what way do they think that education will benefit them?

(c) Do they desire education for girls also and up to the same standard as boys?

(d) Is there any feeling that education unfits girls for married life?

(e) Is there any aboriginal area or tribe in or among which education and schools are unpopular? If so, why?

(f) (1) If compulsion has been applied to any schools in the aboriginal area of the district, what views or complaints have the aboriginals as to education?

(2) If it has not been applied what is the opinion of aborigines as to the desirability of compulsion?

(g) What do the aborigines for the district think as to—

(1) the need of aboriginal teachers

(2) (in areas where tribal languages are spoken) the need of teachers knowing the tribal language and of teaching at least in the 1st and 2nd classes being conducted through the medium of that language

(3) compulsory teaching of Hindi or Marathi

(4) the desirability of pupils learning tribal games songs tales and dances and tribal lore generally

(5) the effect of the teaching now imparted on the character of the pupil and his subsequent part in tribal and national life?

(h) (1) Do they object to the present school hours and terms? Could these be adjusted to meet their complaint that school attendance deprives a boy of his chances of earning wages for grazing cattle etc?

(2) Are the schools closed on aboriginal holidays such as Bidri, Hareli, Nawa, Mandai and Cherta or only on Sundays and Hindu festivals?

(3) Are holidays given for harvest and sowing the picking of mahua, gullis chironji etc and for weddings in the village? What action have school authorities in aboriginal areas taken regarding the orders of Government granting them a certain latitude in fixing terms and vacations?

(4) Are the aborigines satisfied in these respects or do they consider that more frequent holidays and shorter hours are desirable?

(i) Is education merely desired in order to enable aboriginal boys to get jobs? Have many been able to get jobs? Of what kind? Have educated aborigines done well in any particular jobs?

(j) What are the views of aborigines as to the present curricula? (It would be of interest to ascertain this in areas served by schools under the Old the Revised and the Basic National Education Syllabus)

(k) Do they consider the ordinary primary education to be satisfactory or would they like it adapted in any way to suit the life needs and temperament of primitive tribes? Is there any particular item in the curriculum to which they object and why?

(l) What is their view about physical drill and games and in particular about handicrafts? Is spinning a suitable subject in their view or would they prefer agriculture rope-making the making of baskets mats and fish traps and the use of axes saws and forest-craft generally?

(m) If in your district besides the ordinary primary schools maintained by local bodies there are any forest or Hindu Catholic or Protestant Mission Schools or special schools such as those of the Bhumjan Sewa Mandal in Mandla District run on distinctive lines for aborigines have the aborigines any views as to which kind of school they prefer and why?

(Probably they will be unable to make comparisons, and this question could best be answered by seeing whether any type of school or individual school is more popular with the aborigines than others, and asking them what they like at that school or type of school)

(n) How many years do aborigines think that (1) their boys, (2) their girls should stay at school?

(o) Do the older men ever complain that education has spoiled their sons and daughters? If so, in what way?

(p) In your own experience is there anything in the complaint, or do you find educated aboriginal youths playing their usual part in tribal social and economic life, or using what they have learnt to help their fellow-tribesmen?

(q) Do aborigines show any interest in adult education or mass literacy? Are there any facilities for these in the district? Do any adults attend the boys' schools, or take lessons from their children?

Educational facilities

10 In view of the figures in the answers to questions 1 to 7 of the aboriginal and non-aboriginal population of the district, of your experience of the district, and of the comparative backwardness of the aboriginal population, do you consider that in the past or now a fair proportion of the money spent on education by Government or local bodies has been or is being spent on aboriginal education?

11 What special steps have the Government and local bodies taken for aboriginal education in your district, and what steps are now contemplated?

12 Please report the expenditure in the whole District Council or Local Board area in 1939-40 by the District Council or Independent Local Board, including Government grants (a) on all education in the districts, (b) on schools in aboriginal areas

13 Are existing *pakka* buildings worse maintained in the aboriginal than in the other areas?

14 If compulsion has been applied in any aboriginal areas, please give an account of its working. How is attendance secured? What is the percentage? From what distances do children have to come? Do masters take bribes for not reporting absentees? Are the buildings and teachers adequate for the enhanced attendance or are double shifts necessary? How many prosecutions of aborigines have there been for non-attendance? How far away is the Court at which these offences are tried, and what have been the average fine and process-fees recovered from convicted aborigines? What are the complaints of aboriginal parents? Has the number of masters been adequate? How many new buildings are needed? Have the results obtained been worth the money spent? Has compulsion reduced the previous keenness for education? In the light of your experience, do you consider compulsion, with the present lack of trained teachers, teachers knowing tribal languages, buildings, special training of teachers and curricula adapted to aboriginal life, a sound policy at this stage?

15 (a) Are you in favour of school buildings built out of the local materials used for village houses (but adequately ventilated, provided with doors and windows and made as damp-proof as possible) rather than the expensive *pakka* buildings of the past? Can suitable buildings be provided for Rs 100?

(b) Could effective education on a special syllabus be given in the open season in the open air without the provision of classrooms at all?

16 Would aboriginal villagers themselves contribute materials and labour without any building grant or to supplement any such grant provided by Government or local bodies? When Government or local bodies pay the full cost which might be assumed as Rs 100 could the construction be undertaken on an informal contract by the villagers themselves?

Curricula

17 For the aboriginal schools do you prefer the Old Syllabus the Revised Syllabus or the Basic National Education Syllabus? Give reasons

18 Do you think that Gondi and Korku which are the mother tongues of 946,702 and 152,838 persons respectively and are spoken by an increasing number of Gond and Korku should be the medium of instruction in the areas where the languages are spoken, at least in the initial classes along with compulsory teaching of Hindi or Marathi? How otherwise are non aboriginal teachers to teach aboriginal children? Would you recommend teaching through the tribal mother tongue in all classes I to IV?

19 (a) In the higher classes could the pupils still learn Gondi and Korku songs stories and riddles so as not to have their education completely divorced from their mother tongue?

(b) If the change over to Hindi or Marathi takes place at class V should the tribal mother tongue continue to be studied as a special subject? And if so should it be an optional or a compulsory subject?

20 Could their tribal dances and games come into the physical training curriculum?

21 Are you in favour of spinning and weaving as basic craft in remote aboriginal tracts where no aboriginals have ever spun or woven and the raw materials are not available locally? For how long can children be expected to spin at a time without physical fatigue or loss of interest?

22 What other crafts besides agriculture would be suitable locally? Rope making basketry bamboo work (including fish traps) carpentry the felling and sawing of trees and blacksmith's work have been suggested. Are there caste prejudices against weaving and blacksmith's work or any other craft? Could house-building and repairs be taught?

23 Would it be sound in aboriginal schools to concentrate largely on *bari* and fruit cultivation? (The prescribed basic agriculture syllabus is very elaborate for schools in hill and forest

tracts, with poor *barra* soils, a development on a *bari* scale of the gardening and agricultural operations outlined in the footnote to page 12 of the Revised Syllabus of 1937 might be a better line.)

24 Could training in civic and co-operative duties be imparted by running aboriginal schools as small villages with a hut for each class, and a school panchayat and officers elected by the pupils by ballot, so as from an early age to teach them the meaning of the franchise, social obligations and village government and betterment?

25 On what other lines would you modify the existing syllabus or prepare a special aboriginal syllabus designed to preserve and increase the aboriginal's self-respect, to retain the distinctive features of his tribal culture, and to fit him not only to hold his own against his non-aboriginal competitor but also to make his own contribution to the national life?

26 (a) How long should the course last at aboriginal schools?

(b) Please consider the problem of wastage and criticize the views expressed in paragraph 99 of my "Notes on the Aboriginal Problem in the Mandla District" (Nagpur, Government Printing, 1940, As 4)

(c) What steps can be taken to prevent the relapse into illiteracy of the average aboriginal youth on leaving school?

(d) Would anything be gained by a six-monthly re-union of old pupils at each school, with competitions in singing, dancing, etc., simple "refresher" courses and discussions? How could these be organized?

27 (a) Should stipends be freely given to aboriginal pupils to enable them to attend Middle Schools and, later, High Schools?

(b) Should there be special (a) Middle and (b) High Schools for Aborigines in aboriginal areas? (These might be valuable sources for recruiting aborigines as teachers or for other Government departments, it is probably not possible to get them to go to the regular schools at district and tahsil headquarters, or indeed desirable to let them go there while their villages and tribal life remain so different from urban conditions)

(c) For aboriginal Middle and High Schools do you consider, in view of the distance from which pupils will be recruited and the poverty of their parents, that it will be necessary for Government or the school authority to provide adequate hostel accommodation and for such accommodation to be given free to all pupils whose parents are too poor to pay? Should those who can pay something be charged only such fees, not exceeding a certain maximum, as they are found able to pay after application of a means test?

28 Can *Vidya Mandir* ever be self-supporting in the poor *barra* soils of most aboriginal areas under the existing scheme? How could their resources be supplemented?

29 Have the Laubach or other methods of adult mass education been tried in your district with any success? Could they be used in aboriginal tracts?

30 Is there any liaison in teaching between primary masters and patwaris or local officials of the Agriculture Co-operative and Public Health Departments?

31 Could anything be done to make the periodic medical inspections of schools productive of better results in improving the health of the children?

32 (a) What steps do you advocate for the special training of masters for aboriginal schools?

(b) Would you favour special normal schools for this purpose e.g. one in a Korku area one each in the north and south Gondi speaking areas and one for the aboriginal areas of Mandla and Chhattisgarh where Gondi is no longer spoken? Would you agree that these should be located in aboriginal villages and not in any town?

(c) What arrangements are practicable for teaching non aboriginal pupils at such schools to talk Gondi and Korku?

(d) Could these schools be organized as model villages with special and practical training in elementary sanitation hygiene agriculture forest work horticulture house-building folk lore village life panchayats etc so as to train the pupils in nation building propaganda?

33 In view of the past neglect of aboriginal education the necessity of enabling the aboriginal to stand on his own legs in the future and the fact that aboriginal education is a very difficult and specialized branch of education do you consider that it can safely be left any longer to local bodies or that it should be the direct concern of the Provincial Government?

APPENDIX Q.—Aboriginal primary schools, pupils and teachers

District	Population, 1941				No of literates per 1,000 of population in 1941	Pupils in primary schools, 1940-41				Teachers in primary schools, 1940-41			
	Non-tribal		Tribal			Non-tribal		Tribal		Non-tribal		Tribal	
	Male	Female	Male	Female		Boys	Girls	Boys	Girls	Trained	Un-trained	Trained	Un-trained
Saugor	432,628	422,833	41,766	11,841	45	13,509	4,281	496	70	332	132	1	1
Jubbulpore	371,099	339,665	98,451	101,388	34	14,445	4,089	1,612	155	451	122	3	3
Mandla	101,250	100,412	149,938	152,960	12	2,018	315	3,785	151	134	134	15	8
Hoshangabad	354,352	342,086	63,642	63,505	114	17,932	4,581	258	125	644	170	5	..
Nimar	209,946	196,396	53,923	53,011	28	6,522	2,877	694	41	319	161	..	..
Jubbulpore Division	1,469,275	1,401,392	407,720	412,725	47	60,626	10,951	7,112	272	2,113	729	23	12
Betul	135,496	135,403	83,315	84,142	15	14,344	1,286	1,161	72	169	10	..	..
Chhindwara	325,521	323,838	188,721	195,960	15	11,711	1,621	1,362	137	254	121	2	3
Wardha	237,784	231,016	24,653	25,667	47	11,476	1,478	332	34	191	10	..	..
Nagpur	512,740	488,529	29,392	29,328	52	11,711	1,621	1,362	137	254	121	2	3
Chanda	353,624	349,534	15,155	14,893	35	11,476	1,478	332	34	191	10	..	..
Nagpur Division	1,565,165	1,528,320	411,484	420,000	59	11,476	1,478	332	34	191	10	..	..
Bhandara	424,557	427,207	54,659	56,802	29	2,018	315	1,522	13	135	122	1	7
Balaghat	245,894	251,514	67,662	69,180	20	2,018	315	1,522	13	135	122	1	7
Raipur	600,183	625,101	146,096	154,506	21	2,018	315	1,522	13	135	122	1	7
Bilaspur	603,047	623,112	157,958	165,397	15	27,520	4,461	1,117	15	13	122	3	3
Drug	356,546	380,020	91,830	100,155	15	11,476	1,478	332	34	191	10	..	..
Chhattisgarh Division	2,230,227	2,306,754	518,505	546,135	12	12,671	1,307	1,307	32	364	110	7	7
Total Central Provinces	5,264,667	5,236,462	1,337,700	1,378,520	16	87,110	13,225	11,094	54	2,175	1,222	37	37
Amraoti	476,144	450,177	31,776	30,427	28	21,445	484,41	2,045	2,279	1,073	311	93	79
Alola	447,129	426,565	16,819	17,209	367	21,445	5,73	304	50	248	103	..	..
Buldana	407,611	394,864	9,703	9,924	504	13,116	3,61	212	34	4	25	..	..
Yeotmal	369,823	359,421	78,941	79,591	53	19,478	1,771	42	1	7	41	..	..
Total Berar	1,699,707	1,631,047	157,159	158,913	39	12,311	3,747	722	45	271	252	1	1
Central Provinces & Berar	6,964,374	6,867,509	1,474,936	1,515,795	113	74,437	21,955	1,479	141	231	20	2	6
					47	295,435	6,416	3,524	2,419	1,514	4,341	97	76

APPENDIX R

[See paragraph 452]

**Measures taken for the economic educational and social improvement of the aboriginal tribes*

EDUCATIONAL MEASURES

The Forest Department has prepared a scheme for opening 36 schools in forest villages for the benefit of aborigines. The total cost of the scheme is estimated at Rs 21 600. The scheme will be carried out in three years. Twelve schools will be opened during the current year.

2 The Educational Department has sanctioned an annual grant of Rs 25 000 for payment to the District Council Betul, and with the help of this grant the District Council has opened 46 schools in the interior of the district for the spread of primary education among the aboriginal tribes.

3 The following concessions are allowed by the Department for the encouragement of education among the backward classes including the aborigines —

- (1) Equal treatment socially in all Government school and colleges without distinction of caste
- (2) Free tuition in all Government schools and colleges
- (3) Special scholarships which can be shared by the aborigines with other backward classes on merit—

Thirty middle school scholarships of Rs 3 or Rs 8 per mensem each tenable for four years

Eighteen high school scholarships of Rs 5 or Rs 10 per mensem each tenable for three years

Four junior college scholarships of Rs 10 or Rs 14 per mensem each tenable for two years

Four senior college scholarships of Rs 14 or Rs 18

- (4) Reservation of seats in Normal School for men at 4 per cent of the total number enrolled

ECONOMIC MEASURES

4 The provisions of the Central Provinces Land Alienation Act 1916 (II of 1916) have been extended by the Revenue Department to the aboriginal castes specified below so that they may not be able to alienate their lands without the sanction of the Deputy Commissioner —

Castes —Korku, Gond Rajgond Pardhan Halba Maria, Kanwar Tanwar Pali Baiga in certain aboriginal

*This appendix reproduces a note sent to the late Rai Bahadur Sarat Chandra Roy of Ranchi with Government of the Central Provinces and Berar (General Administration Department) letter no. J2 237 II of 1937 dated the 13th January 1938.

areas in the Betul, Hoshangabad, Mandla, Chhindwara, Nimal, Bhandara, Balaghat, Chanda, Bilaspur, Jubbulpore and Nagpur districts

5 Forest villages are established and maintained by the Forest Department primarily for providing an adequate supply of labour for forest work. The residents in these villages are generally aborigines. Instructions have been issued by the Forest Department that when land required for genuine cultivation in forest villages can be granted without detriment to forest conservancy it should not be refused and *pattas* should be issued to the villagers stating that provided they paid their revenue and made themselves available for forest labour, they would be allowed to retain their land.

6 The Agriculture Department has sanctioned the opening of the following seed and demonstration plots in the areas largely inhabited by aboriginals so that they may learn improved methods of agriculture—

- (a) Opening of two seed depôts and two demonstration plots in the Melghat—Cost Rs 1,100
- (b) Opening of five seed depôts and six demonstration plots in the Chanda, Chhindwara and Mandla districts—Cost Rs 12,050
- (c) Opening of 10 private demonstration plots at the headquarters of zamindaris in the Chhindwara Division. The entire expenditure excluding the cost of supervision (Rs 1,500) will be met by the zamindars concerned—Cost Rs 1,500

7 The Industries Department has opened a class for the training of aboriginals in basket and mat-making at Deori in the Sakoli tahsil in the Bhandara district.

8 An allotment of Rs 40,000 has been sanctioned by the Government of India for the welfare of aboriginal tribes in the Province. From this allotment an expenditure of Rs 29,000 has been incurred on the construction of permanent road and maintenance of special travelling dispensaries and other medical relief measures and improvement of water-supply and fairweather communications in aboriginal areas.

GENERAL

The Local Self-Government Department has issued instructions to District Councils impressing on them the necessity of spending a large proportion of their income in aboriginal areas.

The nomination of aboriginal representatives on District Councils has been approved by the Local Self-Government Department but unless the representatives are sufficiently educated their mere presence will not result in increasing interest being taken by the District Council in the welfare of the aborigines. The question of establishing Independent Local Boards for aboriginal areas, consisting entirely of nominated members is under consideration.

APPENDIX 4

[See paragraph 454]

Tenure of officers in charge of Partially Excluded Areas 1925 40

District (1)	Office (2)	Average tenure all officers (3)			Number of officers, who have held charge for one year or more including broken periods within five years of each other (4)	Average tenure of officers in column (4) (5)			Number of officers who have held charge for less than one year (6)	Average tenure of officers in column (6) (7)
		Y	M	D		Y	M	D		
Amraoti	Deputy Commissioner	1	3	8	7	2	3	24	8	4
	Sub-divisional Officer Ellichpur	0	7	21	4	1	10	6	14	6
	Tahsildar Dharni	1	4	13	7	1	9	5	3	4
	Naib-Tahsildar Chikalda	1	2	5	7	1	8	6	2	9
Balasghat	Deputy Commissioner	0	8	21	5	1	9	20	13	5
	Sub-divisional Officer Baihar (a)	3	4	26	4	3	4	26	2	7
	Tahsildar Baihar	1	1	19	2	1	7	24	4	4
	Naib-Tahsildar Baihar (a)	0	11	10	3	1	8	18	4	1
Betul	Deputy Commissioner (a)	0	5	24	1	2	3	11	6	7
	Sub-divisional Officer Bhainsdehi	1	3	18	6	2	3	8	5	4
	Tahsildar Bhainsdehi (a)	0	11	14	2	1	10	27	5	6
	Naib-Tahsildar Bhainsdehi (a)	0	9	3	3	1	8	11	5	4
Bilaspur	Deputy Commissioner (a)	0	10	18	3	1	9	10	5	4
	Sub-divisional Officer Katghora	1	7	26	4	2	8	7	4	7
	Sub-divisional Officer Bilaspur	1	3	4	4	1	8	22	3	7
	Tahsildar Katghora (a)	1	0	1	3	1	5	21	1	7
	Tahsildar Bilaspur (a)	0	10	20	2	2	6	0	2	1
Chanda	Deputy Commissioner	0	8	11	6	1	10	21	11	3
	Sub-divisional Officer Sironcha	1	0	18	5	2	1	27	11	6
	Sub-divisional Officer Garchiroli	1	3	11	6	1	10	14	5	7
	Tahsildar Sironcha	1	3	16	4	3	6	12	1	1
	Naib-Tahsildar Sironcha	1	6	4	6	2	0	16	2	7
	Tahsildar Garchiroli	0	10	7	5	2	1	13	8	5
	Naib-Tahsildar Garchiroli	0	11	6	5	2	0	4	9	4
Chhindwara	Deputy Commissioner	0	8	14	4	2	8	0	14	3
	Sub-divisional Officer Chhindwara	1	2	9	4	2	8	1	6	4
	Sub-divisional Officer Amrawara	1	1	21	4	1	5	1	6	7
	Tahsildar Chhindwara	0	11	1	6	1	9	0	8	3
	Tahsildar Amrawara	0	11	24	4	2	3	3	9	4
Drug	Deputy Commissioner	1	0	2	4	2	6	0	10	4
	Sub-divisional Officer Sanjari	1	9	8	7	2	0	0	1	2
	Tahsildar Sanjari Balod	1	8	7	3	2	2	15	1	2
Mandla	Deputy Commissioner	1	5	29	5	2	6	10	5	5
	Sub-divisional Officer (b)	1	2	5	7	2	4	5	14	6
	Tahsildar Mandla	1	11	4	5	2	4	7	2	10
	Tahsildar Dindori	1	3	16	8	1	8	9	3	3
	Tahsildar Niwas	1	2	9	6	2	1	10	5	3

(a) For the period 1st March 1933 to 1st July 1940 only

(b) Includes several temporarily posted for touring in the open season.

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